

THE CITIZEN

HIS RIGHTS

AND

RESPONSIBILITIES



OSCAR BROWNING

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THE CITIZEN

HIS RIGHTS AND RESPONSIBILITIES

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P R E F A C E.

IT has been reserved for our time to see the inauguration of definite instruction in patriotism and civic duty. Hitherto our boys have gained what of the former they had by force of nature, or from their reading of brave and noble lives, while as to the latter their knowledge has been won by gradual experience. Now, however, the wisdom of our legislature has enacted, on the principle that "the boy is father to the man", that our youth shall be indoctrinated with the theory of representative government. This book is an attempt to furnish a clear, readable, and succinct account of the subject. It follows the Syllabus of the new Continuation-school Code step by step, progressing from the affairs of the parish to those of the empire at large, and showing in detail the relations between the individual citizen, the community, and the ruling authorities. The difficulties which are inevitable in dealing with such subjects have been lightened as much as possible, and while it has been impossible altogether to avoid technical terms, the most important of these are explained in the Glossary at the end of the book.

It has been thought well to include no pictorial illustrations. The subject does not lend itself well to the skill of the artist, and there seemed to be nothing to be gained by the insertion either of pictures of things seen every day, or of sketches only remotely or fancifully connected with the letterpress. It is hoped that the value of the book to the teacher and the scholar will not be any the less.

The principal authorities used in the preparation of the book are as follows:—

The following volumes of the Citizen Series.

Local Government,	-	-	-	-	M. D. Chalmers.
Central Government,	-	-	-	-	H. B. Traill.
The Poor Law,	-	-	-	-	T. W. Fowle.
The State and Education,	-	-	-	-	Henry Craik.
Police and Justice,	-	-	-	-	F. W. Maitland.
The Punishment and Prevention of Crime,	-	-	-	-	Sir Edmund du Cane.
Colonies and Dependencies,	-	-	-	-	J. S. Cotton and E. J. Payne.
The State in Relation to Labour,	-	-	-	-	W. Stanley Jevons.
The State in Relation to Trade,	-	-	-	-	T. H. Farrer.

Also,

Local Government and Local Taxation, -	Wright and Hobhouse.
The Local Government Act, 1888, -	Macmorran.
The Law and Custom of the Constitution.	Sir William Anson.
Part I. The Crown. Part II. The Parliament,	
The Problem of National Unity, -	G. R. Parkin.
Round the Empire, -	G. R. Parkin.
Economics of Industry, -	Professor Marshall.
Economic History, -	Professor Ashley.

In a work of this kind it is almost impossible to acknowledge special obligations, and it is hoped that this general acknowledgement will be sufficient.

OSCAR BROWNING.

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THE CITIZEN:

HIS RIGHTS AND RESPONSIBILITIES.

INTRODUCTION.

BEFORE we can determine what are the duties of a citizen, we must first clearly understand what is meant by the word "citizen". The most obvious meaning of the word is a member of a city, or else one who possesses the rights of a member of a city. When we speak of citizens of London, Edinburgh, or Dublin, we mean either the men who live in these places and exercise the rights of citizenship, or else persons on whom the rights of citizenship have been conferred as an honour. But it is not in this sense that the word is used in this book.

The Greeks were the first people who gave serious consideration to questions of government, and who wrote treatises upon them. In doing this they naturally had to classify the different kinds of governments, and to discuss the mutual rights and duties of the governors and the governed. Among the Greeks the most important states were "cities"; state being used by us as a name for any community which is subject to a settled government. The name for a city in the Greek language is *polis*, and for a citizen as member of a city-state *politēs*. From these words are derived our own words "politics" and "political", the first meaning the science of the relations which exist, or ought to exist, between the governors and the governed, and the second anything that has to do with politics in this sense. The word *politēs* is translated into English by "citizen", which therefore comes to mean a member of a community subjected

to a regular government, and not merely the inhabitant of a city. It comes to be the same as the member of a "state" or a "nation". Therefore the duties of the citizen in this book will mean the duties which belong to every member of a community which enjoys a regular government.

Nation and State are words which we are constantly using, but we do not always consider exactly what they mean. Let us try to define them exactly. Every nation is a state, but every state is not necessarily a nation. A State we have defined above as a community which is subject to a settled form of government. Now there are certain communities which in recent times it has been customary to call "nationalities". These are communities possessing certain qualities which, if they had a common government, would make them a "nation". The most prominent qualities of a nationality are a common origin, a common language, a common religion, and a common history. When a community has these characteristics, and is besides subject to a common government, we call it a nation. Thus England is a nation as well as a state; but the British Empire, although it is a state because it has a settled government, cannot be called a nation, because it has not a common origin, a common language, a common religion, or a common history. Austria is one of the great states of Europe, but it cannot be called a nation, because it is composed of a number of nationalities differing in race, origin, and language. Switzerland is the best example in Europe of a republic governed by the people, but it is not a nation, because it is made up of cantons or provinces which are in their origin German, French, and Italian. France, on the other hand, is an excellent example of a country which is at once a nation and a state.

The term citizen is equally applicable to a member of a nation or a state, and it may, of course, be applied in a limited sense to the inhabitant of a city or town. Every Englishman is a citizen in several different ways. He is a citizen of the town or the country district to which he belongs; he is a citizen of England, as a Scotsman is a citizen of Scotland and

an Irishman of Ireland; he is a citizen of the United Kingdom, and he is also a citizen of the great British Empire. He has different duties in each of these capacities—they begin with him at home, and they gradually widen until they embrace the circuit of the world.

Now it is very important in a country like our own, in which everyone is called upon in some way or other to exercise the various duties of citizenship, that every child should learn as early as possible what those duties are. In this way he will be better able to perform them according to the measure of his powers, and by acting rightly and honestly he may be able to repay the benefits which he receives from the right and honest conduct of others, both of those who are now living and those who have passed away. In England everyone has the opportunity of rising to the highest position in the land, and the task of carrying on the social and political life of the nation is so spread over the different classes of society, that the misconduct of one may bring calamity on many, and the virtues of each may help on in no small degree the welfare of the whole.

Importance
of the sub-
ject.

The duties of a citizen are of two kinds, private and public. The first mainly concern ourselves and our family, the second the nation and the state. But the proper performance of private duties may also be matters of public interest, because a well-ordered life is a benefit to the whole community. The condition of the state depends very much upon the condition of society, and the condition of society upon that of the family. The character of a whole country will sooner or later be determined by the character of the family life within it. Yet, although the first object of a citizen should be to perform his private duties well, he should not confine himself to that alone. We should in every walk of life take care that we do not close our eyes to the existence of public duties, but should be ready to take our share of labour and responsibility for the common good.

The citizen's
duties:
(1) private;
(2) public.

There is no parish in England, whether in town or country, where opportunities of this kind may not be found. To hold

a parish office, to take an active part on a committee or in a public meeting, to give our time to the public service without reward and even without thanks, should be regarded as something which every good citizen ought to do. It is not enough to serve our personal interests alone. We must be prepared to pay a tax to the state in the form of time, energy, and thought spent in objects which do not directly concern ourselves, as the price of living in a well-ordered community, and as a means of improving the good order of the community in which we live.

At the same time it is not right that we should neglect our home and personal duties in the pursuit of objects which lie outside them. Those people bring discredit on public spirit who use it as an excuse for showing themselves to be bitter partisans, for ambitiously seeking their own advancement, or neglecting the routine and humdrum tasks which are their immediate duty. The motive power of our public actions should be patriotism and devotion to the great country to which we belong, but that feeling should be based upon the attachment which every good man feels to his family and his home. Beginning with this narrow circle we should learn to love in like manner our village, our town, and our country. We should learn from the study of history, or even of village records, the debt which we owe to the virtue and devotion of those who have gone before us. We should try to repay that debt and follow in their footsteps. In England public gratitude is never denied to those who serve the state in the highest functions: a prime minister, past or present, will meet with applause and respect wherever he goes. Every citizen can do something to lighten the labours even of the head of the state by doing his duty, and he should always be ready to pay this tribute.

It is not generally found that men are likely to neglect their self-interest. To do so entirely would be wrong, as a proper regard for self-interest is necessary to the well-being of society, and a man who entirely neglects himself may end by neglecting everything else. When

Use and
abuse of
party gov-
ernment.

we go beyond the limits of family life we are likely to be carried away by feelings of class and party. These feelings have their uses. Certain classes of society would have been crushed long ago unless some persons had felt an exaggerated attachment to the interests of those classes. Party government, with all its faults, has been found by Englishmen to be the most satisfactory form of popular government. There are times when it is not wrong to give party objects a foremost place in our motives. But we must always be on our guard lest these impulses claim too much space for themselves. We must be always ready to consider them of less importance than the interests of the nation at large and the great principles of right and wrong. We must never allow them to obtain such a hold over us that we cannot release ourselves from them when duty demands that we should do so.

If then the life of a good citizen should be spent in an ever-widening circle of duties, beginning with those which affect himself and his family, and from them spreading to ^{Object of the book.} his village, his town, and his country, and lastly to the great empire of which he is a subject, he should learn how these narrower duties are connected with the wider duties, and how the framework of the state binds all its citizens together in harmony. It is the object of the ensuing pages to do this to some extent. We have already shown the meaning of the Nation and the State; we shall go on to show the differences between representative and despotic governments, to explain what representative institutions are, beginning with local government and passing to the central government, with its three main departments, legislative, judicial, and executive. We shall explain the duties of the citizen with regard to local and central government. We shall then show how the empire is composed, and what is the nature of the connection between itself and the mother country; and lastly, we shall deal with the industrial and social aspect of the duties of a citizen—a matter even now of the highest importance, and destined probably to claim even more exclusive attention in the future.

CHAPTER I.

THE NATION AND THE STATE.—REPRESENTATIVE GOVERNMENT.

SOMETHING has already been said about the difference between a Nation and a State. However carefully we distinguish between them, there will be cases on the border line about which different opinions will be held. For instance, some people assert and some deny that Ireland could properly be called a nation even if it had a separate government. The Jews are often called a nation. They have indeed a common origin, a common language, and a common religion, but they do not live in a common country nor under a common government. They were, however, at one time a nation, and it is probably for that reason that they are still so called.

States may also vary very much in character. The most important division between states is that of simple and complex.

Classification of states: A simple state is one which is under the same head,
(1) simple; form government, where there is the same head,
(2) complex. the same ministers, the same parliament for all the inhabitants. Complex states are those in which, although the head may be the same for all the inhabitants, yet the ministers or the parliament may be different for different parts of the country, or where different parts of the population may be governed by ministers or parliaments of their own, subordinate perhaps to the ministers or parliament of the central government, but yet having a certain degree of authority which cannot be interfered with. Also some states are monarchical and some are republics, and monarchies and republics may each of them be either simple or complex. For instance, Great Britain is a monarchy and a simple state, because it is governed by a king, a single set of ministers, and a single parliament; France is a republic, and is also a simple state for the same reasons.

One of the most remarkable kind of complex states are what is called federal states. In these there is a central govern-

ment, which exercises a general control over the whole, but at the same time each separate part has a government of its own, with which, within certain limits, the central ^{Federal} government cannot interfere. Switzerland and ^{states.}

America are examples of federal states, each of them being a republic. In Switzerland each province or canton has a government of its own, with a certain amount of authority over the inhabitants of the canton, but all the cantons are subject for certain purposes to the central government, which can compel the governments of the separate cantons and also the inhabitants of Switzerland to do certain things. America in the same way is divided into provinces, which are called states, and which are governed in a manner similar to the Swiss cantons.

Federal government is so called because the inhabitants have at some time or other formed themselves into a federation, that is, a league for the purposes of government, based upon a written compact which is called the constitution of the country. The British Empire is a complex state because the parts of which it is composed, although subject to the King and the Parliament, are yet governed in different ways and enjoy various degrees of independence. At the same time it is not a federal state, because the inhabitants of it have never at any time made a general compact or agreement as to how they shall be governed. Parliament might at any time determine that they should be governed in any way that it pleases. The different parts of the empire are held together by allegiance to a common sovereign, and they all use a common flag.

Besides these two main divisions of simple and complex, governments may take many different forms according as more or less power is allotted to the governors and the governed. The rudest form of monarchy is what ^{The evils of despotic government.} is generally called a despotism, that is, the monarch is supreme over the lives and property of his subjects, and has a power which is limited only by his own will, or at the most by custom. Barbarous despotisms afford us examples of every kind of cruelty and caprice, although there are in-

stances of despotism in which this unlimited power has been used to forward civilization and progress. Those who believe that the only object of a government is to govern well, and agree with the maxim "whatever's best administered is best", maintain that the best of all rulers is a benevolent despot. This is a false and shallow opinion. A government must be judged to be good or bad, not only by the manner in which it performs the duties of administration, but by the effect which it produces on the people who are governed, and on those who exercise the powers of government. It is said that none should exercise the duty of governing until they are shown to be fit to do so. But it is often the case that the best means of training people for the duty of governing is to put the government into their hands and to accustom them to the exercise of it. We do not prevent a child from going into the water until it knows how to swim, nor do we deny all freedom to a young man until we are certain that he will not abuse it. A man's character is often made degraded and hard by the possession of power, for the exercise of which he is responsible to no one but himself; the mind and nature of a despot frequently lose their higher qualities, and an obedient flock of subjects is not likely to rise in the scale of civilization. It may sometimes be more beneficial that a nation should be worse governed by itself than that it should be better governed by some one else. England has never been governed by a despot, nor is it likely that it will ever be so governed.

The Greek city-states of which we spoke in the Introduction were communities of free men, and there was nothing on which

Ancient states. they prided themselves so much as that they were not subject, like some other Greek states, to despots, or, as they called them, *tyrants*. At the same time there were great differences between them and a modern state. In the first place they consisted largely of slaves, which outnumbered the free men in the proportion sometimes of two or three to one. Also they had no idea of *representation* in government. If they were democracies, that is, if every citizen of full

age took part in the government, they were what is called *direct* democracies, that is, all those who wished to take part in the government must be present in the assembly and exert their influence by voice and vote. The Greeks thought it a bad thing that a state should be so large that the whole number of citizens could not be addressed at the same time by a single man, just as a head-master might say that he did not wish his school to become so numerous that he was unable to address all his pupils at once.

In modern states we adopt a different principle. In the central government as well as in local government of every kind, we choose *representatives* to speak our opinions for us and to administer for us. In no other way could states of the dimensions with which we are familiar be governed at all. In order to secure this we have elections for the House of Commons, for Parish Councils, for Town and County Councils, and even for societies and clubs. We choose those people in whom we have the greatest confidence, and who most fully represent our views, to act for us in cases where it would be impossible for us to act for ourselves.

Great indeed is the responsibility of those who are selected by their fellow-men to hold these positions of trust and confidence; but great also is the responsibility of those who have to choose them. Representative government has often been misused. Men have sought to be members of parliament and of other governing bodies, not for the performance of a public duty, but for their own ends. In order to gain these positions they have sometimes even bribed and corrupted the electors. Instead of regarding the function as a weighty trust, not to be lightly sought, and to be paid for, if not by respect, at least by gratitude, they have for ambitious or other reasons been ready to buy their places. At the same time the electors have thought that they were rather conferring a favour on their representatives than receiving a favour from them. Healthier principles are now beginning to prevail; a member of parliament is coming to be regarded as a public servant performing a public duty for his constituents. At the same time he should

Representative government.

not be considered a mere delegate. He may, when seeking election, fairly be asked for pledges, that he will vote for and support certain measures of importance if elected, and he should be expected to keep these pledges. But in the daily life of parliament he should be left free to exercise his own judgment, provided that he does not violate the promises by which he secured his election.

On the other hand, the duties of an elector are very important. He must exercise the power of choice given him under Responsibility a deep feeling of responsibility. Above all, he of electors. should not abstain from voting, or allow himself to consider that the questions presented to him are of no great importance. At general elections questions are submitted to the general body of electors, the decision of which one way or the other may bring happiness or misery, if not to ourselves, at least to many of our fellow-subjects. Every English citizen is brought into such close connection with the work of government, that the decision of political questions in one way or another probably affects every one of us. The framework of our constitution rests upon the idea that every one exercises with judgment the voice with which he is intrusted. If a large mass of the population were to become careless or indifferent as to the way in which political disputes were settled, it would be a sign of national decay. To refuse to co-operate in the work of government to the best of our intelligence, is to neglect the primary and the most important of the public duties of the citizen.

It is clear from what we have said above that representative government is a modern device, and is indeed the only plan by

Taxation and representation. which we can secure in large communities the co-operation of all in the work of government. It has long been a principle in England that there should be no taxation without representation, that is, that no one should be asked to contribute money for the purposes of the state without having an opportunity of expressing an opinion upon how the money should be spent, and indeed, whether any expense should be incurred at all.

At an early period the consent to grant money was also coupled with the opportunity of criticising the acts of government generally, and obtaining what was called the redress of grievances. The sovereign asked for money for his needs. The people replied : "We will not give you money unless you alter this and that detail in your method of government to which we object". In this manner the people, through their representatives, gained a considerable share in the government itself.

Many disputes arose from time to time as to how far parliament was justified in claiming for itself the duties of government. Some matters were regarded as expressly reserved for the decision of the king and his ministers, especially our relations with foreign countries, and questions of peace and war. Difference of opinion on this question was one of the principal causes of the dispute between King Charles the First and his parliaments, and of what is called the Civil War or the Great Rebellion. Charles held, even upon the scaffold, that the king and the people were "clean different", and that nothing but ruin could ensue from one encroaching upon the functions of the other.

By degrees parliament has acquired control over the whole machinery of the state. But still a minister may involve the country in disputes with foreign powers, which ^{Supremacy} may lead to war, without its representatives having ^{of parliament} had the opportunity of pronouncing an opinion at a sufficiently early stage to prevent serious consequences. Yet, so many cases have happened in English history where parliament has suddenly thrown over the designs of a minister, that foreign governments are naturally slow to accept the promises of the ministers unless they have reason to believe that they will be supported by the wishes of the people.

CHAPTER II.

PARLIAMENT AND THE PEOPLE.—PARTY GOVERNMENT.

AS we shall see in a later chapter, members of parliament are chosen for a certain number of years, and during that time they cannot be turned out for giving votes against the wishes Relations be- of their constituents. A hundred years ago it
tween elec- was commonly held that a parliament once chosen
tors and elected. was at liberty to do what it pleased. The theory
was that a nation exercised the right of governing by the act
of choosing its representatives, but that, during the continuance
of that parliament, it surrendered all central affairs of
state, and committed them to the hands of those whom it
had chosen for the purpose. Different views are now gradually
making themselves felt, although no precise conclusion has
been arrived at. It is sometimes stated that the people have
given the parliament a “mandate” to do certain things, and
it is affirmed that a parliament cannot do what it has not been
commissioned to do by the electors. It is said further that
if circumstances have changed since the election of parliaments,
the nation must again be consulted before any conclusion can be arrived at. It cannot be denied that, by the
vast development of the press, the nation is almost as well
instructed upon all questions of policy as members of parliament
or even the ministers themselves. At the same time, the
spread of education has enormously increased the number of
those who are competent to express an opinion upon these
difficult and complicated matters. Therefore there may come
a time when, in order to secure that government shall be conducted
in accordance with the wishes of the people, it will be necessary
to adopt some other means of ascertaining the public will than the uncertain and costly process of a general election.
If this were to be done the people might be asked to say “Yes” or “No” before a certain measure could become law, and thus it would come about that democratic governments, having been

forced by the increase of population to adopt the principle of representation and thus to become "indirect democracies", might again, by the further increase of education and other civilizing influences, become in some respects "direct democracies" as they were at first.

In representative government questions are generally decided by a majority of votes, and the most important matters have sometimes been decided by very small majorities. At first sight this would seem to be unfair—indeed it may happen that the majority of parliament is elected by the minority of the nation, and that a policy is adopted which, by a simple counting of voters' heads, would be rejected. Various schemes have, therefore, been brought forward for the protection of minorities, and some persons have desired to make parliament, as far as possible, a reflection of all the various sections which divide the community. It is not probable that, under a system of party government, these schemes would work well.

Party government has many obvious evils. It is a great waste of power that the ablest statesmen in the country should be spending their best efforts in thwarting each other's schemes, instead of co-operating for the common welfare. But it is found in practice that the only alternative to government by party is government by faction. If party government were abolished we should probably have, instead of two parties separated by well-understood lines of principle, a number of factions bound together by ties of personal allegiance to a leader, and by feelings of mutual interest and affection rather than by similarity of political conviction.

In order that the work of government may proceed at all, it is necessary that the party which is predominant in parliament should be strong—stronger even than its actual numbers in the country would warrant—and it is generally admitted that the work of government is more satisfactorily performed when parliament is divided into two parties only than when it is split up into more than two. If a question is decided by a small majority it shows

*Alternative
of party gov-
ernment.*

*A strong
government
desirable.*

that the mind of the country is much divided upon it, and it is better that some conclusion should be arrived at than that a state of suspense should continue which paralyses political action. Also the existence of a large minority, even though it is defeated, modifies to a large extent the proposals of the majority. A majority is generally ready to meet its opponents half-way, and to conciliate that body of waverers which, while human nature is what it is, will always fringe the edges of opposing hosts.

Again, if public opinion has no legal means of enforcing its will, it does not follow that it is necessarily asleep during the intervals which elapse between the direct appeals which are made to the nation. There are many means by which a statesman can discover whether it inclines to one side or the other of a disputed question, and majorities, especially if small, will always be sensitive to influences of this nature. The majority of to-day may become the minority of to-morrow, and if the present majority misuses the power which it for a time possesses, it may be treated in the same way when the party which is at present in a minority comes into office.

In any case a good citizen should never, in the heat of party conflict, allow the great principles on which he formed his decision to be obscured by the petty and irritating squabbles which must necessarily arise during the process of discussion.

CHAPTER III.

THE VILLAGE AND THE PARISH.

THE machinery of government in England is partly central and partly local. The central government is that with which we are most familiar, and to which the largest amount of interest is attached. However in this book we shall follow the plan of beginning with the most simple, and proceeding to the most complex. Therefore we shall first deal with local

institutions, and leave the organization of central government for later consideration.

There is probably no country in Europe the course of whose history has continued with so little interruption as England. Although its annals are broken by the Norman Conquest, and although that event introduced profound and important changes in every department of social life, the arrangements which preceded it were not destroyed, and they gradually asserted themselves as the effects of the Conquest passed away.

If we wish to understand the institutions of the England of to-day, we must go back to the Anglo-Saxon forms of social organization, and to the Teutonic institutions with which they must be classed.

Sometimes, travelling in Germany, we reach an eminence from which we can overlook a number of German villages. We are struck at once with the difference between them and English villages with which we are familiar. An English village is generally scattered; there is a clustering of houses round the church, but cottages spread themselves along the lanes, and outlying farms make it difficult for us to determine where the village begins or ends. On the other hand, the German village lies in its own open fields, closely massed together. The church is in the centre, but the houses are compressed as in a town surrounded by a wall. There is no hedge or ditch to mark the boundary; but the compact huddling of the habitations suggests the craving for defence.

Such was the old English township, deriving its name from the *tun* or hedge which encompassed the group of homesteads. Around lay the township lands, held mainly in common ownership, but partly also in the separate ownership of the freemen who dwelt in it. Each township was governed by a democratic constitution, an assembly or *gemot*, in the business of which each freeman was entitled to take part. This assembly made laws for the government of the township, which were called *bye-laws*, or laws of the village. It elected the officers of the township—the *gerefa* or reeve,

English local institutions.

The town-
ship.

whose functions were mainly judicial; and the tithing-man, who was a kind of constable, the ancestor of the modern policeman. A township court was held from time to time for judicial purposes, at which the reeve presided.

The township lay in a district called a *hundred*, a name which may have been given from its containing a hundred townships. This too had a court of its own, which was attended on behalf of the township by the reeve and four free-men, forming that body of five chosen persons which is found in modern India representing the village community, and has left traces in many systems of ancient law. Several hundreds made up a county or a *shire*, and the same body of five attended the county court, or the *shire moots*, which were held at regular intervals. Such is the *township*, a name which is not very familiar to us.

What, then, is the *parish*, a name much better known? The parish is merely the township regarded in its ecclesiastical aspect. ^{The parish.} The parish was the township, or cluster of townships, to which a single priest ministered, to whom its tithes and ecclesiastical dues were paid. If a place had not a church and church-wardens it could not properly be called a parish.

The Norman Conquest brought the feudal system with it. Townships were granted by the kings to favourite lords who held them on the terms of military service. The power of making laws and of judging was transferred from the freemen of the township to the lord; and the *court baron* and *court leet*, which were the civil and criminal courts of the *manor*, took the place of the old township moot.

The parish, however, still survived, and the power of the priest was not affected. The inhabitants of a parish had been accustomed to meet for ecclesiastical purposes in the vestry or robing room of the church under the presidency of the priest. When the township moots came to an end, the vestry became the assembly of the township for all purposes whatever which lay outside the manorial jurisdiction. For some time we find that when civil matters are alluded to, the terms *parish*, *town*,

township, and tithing are regarded as synonymous; but towards the close of the reign of Elizabeth a law was passed which placed the parish on a different basis, directing overseers of the poor to be chosen from each parish, and making the churchwardens overseers by virtue of their office. Since this time the example has been followed, and acts of parliament creating new functions for the township have preferred to bestow them rather upon the parish than upon the manor; and thus we have become familiar with the parish as the unit of local government.

But the ecclesiastical parish and the civil parish, which were once identical, are often no longer so. This is the result of various causes. Populous parishes have been divided for ecclesiastical purposes, but the civil parish has remained the same. Outlying townships of large parishes have made themselves into separate parishes, and this has been recognized by law. The boundaries of parishes have been rearranged, and consequently about a third of the existing civil parishes have no connection with ecclesiastical parishes.

For a long time the vestry had full management of parish affairs. It is easy to see how the power of the vestry grew up. Formerly every Englishman was bound to attend his parish church. All parish notices were given ^{The vestry.} out in church, and even now they are posted on the walls of churches and chapels. It was therefore natural that the parishioners should go into the vestry attached to the church to discuss and settle parish matters. In Switzerland at the present day much of the business of local government is transacted on Sunday, and meetings for these purposes are generally held in the churches. Similar customs are found in many parts of Europe.

A vestry consists of “the ratepayers of the parish in vestry assembled”. Every ratepayer whether resident or non-resident is entitled to vote, and three days’ notice must be given in order that non-residents may have an opportunity of attending. The minister of the parish, if he be present, is entitled to take the chair, but if he is not present the meeting may

elect its chairman. Minutes of the meeting must be taken, which must be signed by the chairman.

Latterly the vestries have lost many of the powers they formerly possessed, and their duties are now confined to ^{The church-} matters connected with the church. They still ^{wardens.} continue to elect the church-wardens. The church-wardens are generally two in number, and are elected every year during the first week after Easter.

It is the duty of the church-wardens to see that the church and churchyard are kept in proper repair. When they have ascertained how much this will cost, they must summon a vestry to impose a rate for the purpose on the parishioners. Up to the year 1868 the payment of these church-rates was compulsory, but the payment cannot now be enforced by any process of law. It is still the duty of the church-wardens to demand the rate, although they have no means of punishing those who disobey. It is also the duty of the church-wardens to keep order in the church during divine service.

By an act passed in 1894 the vestries in country parishes lost some of their most important duties, as vestries in towns

^{Parish} Councils. had previously done. By this act *parish councils* are established in all rural parishes having a population of three hundred or more, while in parishes with a smaller population there need not be a parish council, but in all parishes there must be a *parish meeting*. The parish meeting consists of the ratepayers in the parish, and may therefore include women. It takes the place of the vestry in all matters not connected with the church. The parish council consists of not less than five nor more than fifteen persons elected by the members of the parish meeting, which thus has powers superior to the parish council. Among affairs falling to be dealt with by these bodies are the management of parish property, the providing of a public supply of water, the acquisition of land for recreation purposes, and the regulation of certain matters connected with the public health, as well as the appointment of certain officials, such as overseers and assistant overseers of the poor. *The lighting of roads*

In every parish, whether ecclesiastical or civil, there are one or more overseers of the poor. They are unpaid, are obliged to serve, and have no power to appoint a deputy. But assistant overseers may be appointed to perform the duties of the overseers, and these are paid a salary.

Since the institution of unions and guardians of the poor, the overseers have little to do with the regular relief of the needy; but in many places local charities are under their control, and a conscientious citizen may do much good in this position. The overseers have to prepare a list of jurymen, and to make out and publish the list of voters for parliamentary and municipal elections. But their main function is to levy the poor-rate, the nature of which will be explained later on.

General rate not more than 3d in £

An ecclesiastical parish has also other officers recognized by law, which were once of great importance, but have become less so since the admission of dissenters to equality of civil rights. Such are the parish clerk, and the sexton (a corruption of the word sacristan), both of them freehold offices. The duties of the clerk are now unimportant, and the sexton has only to keep the church swept and clean, and to make and fill up the graves of the dead.

Far more important is the position of the minister. He has not only to perform the offices of the church, as ordained by law, but is bound to keep a register of baptisms, marriages, and burials; the latter whether he has officiated at them or not. The freehold of the church and churchyard are vested in him, as well as of the glebe, or the land specially assigned for the clergyman's maintenance. At the same time every person, whether a parishioner or not, who dies within the parish, is entitled to be buried in the churchyard; and any one who dies in another parish is entitled to be buried in the churchyard of his own parish. He may be buried, at the wish of his relatives, without the intervention of the minister, and either without any religious service at all, or with such Christian and orderly service as the relatives may think fit.

The parish minister.

Some of these provisions may seem strange, but it is still the theory of the English law that every Englishman is a member of the Church of England. Formerly this position imposed upon citizens duties as well as rights. These duties have for the most part been removed in favour of those who declare themselves "dissenters", that is, who belong to some other religious community. But the acceptance of these privileges does not deprive him of his rights as a member of the National Church. He is only relieved from duties which had become a grievance. The land of England is still subject to the payment of tithe, which was originally a contribution for the support of the Church and its ministers, although much of it has now passed into the hands of laymen, and is in the same position as other kinds of property. Tithe has still to be paid by churchmen and dissenters alike; and this is the only important duty of an ecclesiastical character which is laid on all citizens without distinction of creed.

CHAPTER IV.

THE SCHOOL.

IN order that a man may be a good citizen it is necessary that he should be educated. It is the duty of every good citizen to educate himself as far as he has the leisure and

Education and the State. capacity to do so. It is the duty of all parents to educate their children, and it is the duty of the

State to see that children are educated. There was a time, not so very long ago, when in England only a very small proportion of the inhabitants received a regular education; indeed many of them could not read or write. It was only a hundred years ago that the education of the whole people began to be seriously considered in this country, and only seventy years ago that any money was contributed from the public revenue for the instruction of the people. Even now some foreign nations are superior to ourselves in this respect.

In Switzerland the State provides instruction of every kind, so that a child starting from the humblest position may be qualified by education for the exercise of any profession. It is no uncommon thing for a working lad in Switzerland to speak and write three or four languages, and to have such a knowledge of other matters as will enable him to earn his living in any country in the world. This is mainly because he is kept at school and not allowed to go out into the world until he is about sixteen years of age. But in England during the last thirty years matters have greatly improved, and most children are now able to gain a good education if they will only take advantage of their opportunities.

Let us see what the state does for education. We must first explain that education is generally regarded as of three kinds, elementary or primary, secondary, and superior. Classification of education. The first may be said to extend from the beginning of life to the fourteenth year; the next, from the fourteenth to the nineteenth year; and the last, from that period till the education is completed. All boys and girls ought to receive elementary education as a preparation for life; a good number are able to defer active employment and to receive the instruction which is provided by our public schools and grammar-schools, but only a few comparatively are able to go to universities and university colleges and thus to prepare themselves for work in the higher professions. Hitherto the state has almost entirely concerned itself with elementary education, but it has now also undertaken the control of secondary and technical education. Superior or university education is generally provided for by independent endowment.

For the purposes of elementary education the whole country is divided into school districts. These generally follow the boundaries of towns and parishes, but the Education Department which manages these matters for the state may, if it pleases, modify these arrangements. It may join several parishes together into one school district, or it may divide a parish into several school districts. Now it is the law of our country that each school district is to have such

a number of public elementary schools as will provide accommodation for all the children requiring instruction. The law also recognizes that it is the duty of the state to provide a certain amount of instruction for all children, and no school is considered a public elementary school in which this amount of instruction is not given. Also a public elementary school must admit all children without calling upon them to be present at religious instruction or worship, that being confined to a specified hour, when children need not attend unless their parents wish. Further, all such schools must be regularly inspected by persons appointed by the state for that purpose, and must fulfil the conditions laid down by the state.

Formerly all public elementary schools were "voluntary schools", that is to say they were established out of money given by free will, and were managed by private persons. They generally belonged to the Church of England or some other religious denomination.

Voluntary and Board schools. By an act of parliament passed in the year 1870 it was ordered that if in any district the school accommodation was not made sufficient within a certain time, the Education Department was to order a School Board to be created, with power to raise money for schools by rates. As there was not a sufficient number of schools in many places, School Boards were soon set up where required, and new schools were provided, especially in towns. In boroughs the School Boards were elected by all the electors to parliament, in parishes by all who paid rates. The boards consisted of not less than five or more than thirteen members for each district.

By these means the number of schools was largely increased. Many voluntary schools became Board schools, and the competition with Board schools tended to make the remaining voluntary schools more efficient. Every year since that time the provisions for teaching in England and the number of children attending school have steadily grown. Elementary education is now free to all children,—that is, parents, if they wish it, can have their children educated without paying any school fees.

In the year 1902 an act of parliament was passed by which all the elementary schools were put upon a new footing. The Board schools, as we have seen, were supported by rates, that is by money specially raised in the different School Board districts, and were managed by persons specially elected. The voluntary schools had their own special managers and were not supported by special rates, though they received money from the general revenue of the country. The total number of pupils in these schools was greater than of those in the Board schools, and in many places there were no other schools but voluntary schools. By the new act Board schools are done away with, and all the schools are now placed under the control of County Councils and Town Councils, all boroughs with more than 10,000 inhabitants, and urban districts—or districts treated as towns—with 20,000 inhabitants, being entrusted with the general management of their own schools. These councils see that the money required for their schools is furnished by means of the rates, and under them are placed the managers of the different schools or groups of schools. The schools corresponding to the old Board schools are now called "provided" schools, because provided by public money; the voluntary schools are known as "non-provided". *See over.*

It would, however, be of little use to provide schools for children unless some means were adopted for enforcing attendance. Children, it is true, like to be taught, and if the school is bright and attractive, will sometimes prefer it to their homes. But however desirous they may be of learning, they must be guarded against their own weakness of mind, and against the temptations of others. Also, parents are sometimes induced to make profit out of the labour of their children before they are fit for hard work. Therefore it is right that children should be forbidden to work for wages before a certain age, for reasons both of education and of general health. Every child in England must now attend school up to the age of twelve, and after that age for half-time until certain standards have been passed. Not

Attendance
enforced by
the State.

till they have reached the age of fourteen are they absolutely free to go without more schooling.

Besides this, parents are compelled to send their children to school under penalties imposed by law, there being special school officers whose duty it is to look after cases of non-attendance. When children are frequently absent parents are visited, warnings are given, and if these are disregarded application is made to a court of law, which will issue a school attendance order. If this order is not complied with, the parents are punished.

It is very difficult for any form of education to be self-supporting. The expense of buildings, appliances, and teachers is so great that the fees paid are not sufficient to supply them. Consequently almost all educational institutions, whether superior, secondary, or elementary, have to be endowed—that is, they have to be provided from some public source with buildings and lands, and with an income for the salaries of teachers. The universities and many of the public and grammar schools are not badly off in these respects. They have buildings, often constructed several hundred years ago, they have ground, and often large revenues derived from estates or from other sources. As elementary schools are not in this condition they have to be endowed by the state, that is, by a vote of parliament, which gives them money out of the taxes of the country. The money thus given has increased in the last seventy years from twenty thousand pounds to about eight millions, and will probably increase to a far larger extent.

The money is chiefly given as a grant in aid of other contributions. The councils of counties and towns have the right of raising a certain rate from the ratepayers for the support of the schools. The additions made by the state to such sums of money were formerly divided among the schools entirely according to the results of examination. This consideration is still of great weight, but other circumstances are taken into account, such as the regularity of the pupils' attendance and the general efficiency of the school.

By these means English education has become compulsory, free, and unsectarian, that is, every child of a certain age may

be compelled to attend school, every child has a right to free education up to a certain standard, and no child is obliged to attend religious instruction which does not agree with the religious beliefs of his parents. Still there is much more to be done. Foreign languages, which form so large a part in the instruction of schools abroad, are neglected in our system. Yet to know two languages is an education in itself, and the power of expressing the same idea in two completely different ways is stimulating to the intelligence. It is said that Welsh children, who learn English through Welsh as a foreign language, understand it better than those who acquire it as their mother tongue. Much also is to be gained by cultivating the powers of observation, and training the senses to quickness and accuracy of record. The love and appreciation of art should not be neglected. All children are now taught drawing, but the walls of the school-room should be covered with copies of the best works of art, to be constantly before the children.

At the same time it should never be forgotten that education is not intended chiefly to assist children to rise in the social scale, or to exchange the occupations of their fathers for others which are more agreeable ^{The object of} or are considered more respectable. Rather is it to enable them to do their duty in that state of life to which it has pleased God to call them, to make them good husbandmen or good artisans, so as to be able to perform their work faithfully and intelligently, and to spend their leisure in a manner which will cultivate the higher qualities of their minds and characters.

A good citizen should remember that education does not end with school, but continues throughout the whole of life—that as the compulsion of school ceases, a man should undertake the duty of developing his own faculties. Still, it may be a duty to provide opportunities for all, and management and direction for those of weaker will. At no age is this more necessary than at the close of regular school life. If a child leaves school at the age of thirteen he will not enter imme-

dately into active occupation, or if he does, the occupation will not employ the whole of his time. It is most important that he should not forget what he has already learned, and that he should extend his acquirements partly for their own intrinsic value, and partly to escape the evils which idleness Continuation schools. always brings in its train. For this purpose continuation schools have long been provided by private enterprise and are now recognized by the state. They are most useful when held in the evening, and there are few youths whose occupations are so hard that they cannot afford two or three evenings in the week for study. Every one should encourage these efforts as far as he can, either by giving instruction himself, if old or learned enough for the purpose, or by taking advantage of it if he is young.

In this also we must guard against weariness in well-doing. Many lads begin a study with vigour because it is new, but have not the energy to continue it when the novelty wears off. They think that there is no good in it, and they do not see the practical advantage to be gained. The utility of many studies is not apparent until they have been mastered, and

knowledge should be regarded as an end in itself, apart from the practical advantage which it may bring with it. One language, one science, one intelligent habit once acquired, will lead to the acquisition of others, and will tend to make a life happy which might otherwise have been dull and tedious.

The free libraries which now exist in many localities are great helps to study. If there is one already in the place in which you live, make full use of it; if there is not one at present, strive to have one established by use of the means which parliament has provided for the purpose. Acquire early a familiarity with books, and do not be afraid of a long book. If you have once read a book of acknowledged excellence in many volumes, such as Gibbon's *Roman Empire*, Grote's *History of Greece*, or Hume's *History of England*, you will not be terrified by a long book again.

Literary and scientific education is very important, but art

must not be neglected. In many English towns there are schools of art under the direction of the government, where the hand and eye are trained to high excellence. These also receive public money, and valuable help is given by them to earnest students. In these schools the drawing lessons of the elementary school may be continued and supplemented.

Importance
of art training.

But it is not enough to follow this course of study; the taste should be cultivated by the contemplation of masterpieces of design, both of ancient and modern times. Museums for this purpose exist in many places, and more might easily be brought into being. Lose no opportunity of seeing good pictures and good sculpture. If you do not understand or appreciate at once, be careful not to criticise hastily. Take your stand before an approved work of art and gaze at it till you learn to admire. If you cannot see its beauties, get some friend to point them out to you. Begin your artistic education in a modest and reverent and not in a critical or carping spirit. It is now so easy to obtain photographs and other copies of the best works of art, which you can take home and study at your leisure, that there is no reason why the walls of your room should not be covered with them.

The originator of these schools of art was the good Prince Consort, who died many years ago, leaving Queen Victoria as his widow. If he had lived he might have extended to music the help he gave to art, and an English child would have had as good an opportunity as a German child of playing and hearing the masterpieces of the best composers. This may perhaps come some day or other. Even now music has taken a vast development in England in recent years.

There is a village in Germany well known throughout the civilized world for the Passion Play which is performed in it every ten years, which attracts an audience from all quarters of the globe. It consists only of a few hundred inhabitants in a bleak mountain district, who gain their livelihood by constant struggle with the niggard powers of nature. Yet every house in this village is neatly kept and

An ideal
village.

decorated with lovely flowers, every room in those houses is filled with copies of the best works of art either in photographs or engravings. The peasants spend their winter evenings in executing beautiful carvings in wood, which are so excellent, and so much sought after, that a special shop has been opened in London for the sale of them. At other times the men and lads meet together and practise as an orchestra or as a chorus, thus learning the beauties of the masterpieces of the great composers. In that village an Englishman may well feel that he wishes his own village at home was like it, and that he will do his best to render it so.

You must have heard of technical education, but few of you, perhaps, would be able to say precisely what it is. In its ^{Technical} strict sense it is the training of the artisan to per-
education. form his handicraft. All handicrafts have both a practical and a theoretical side, that is, one may learn how to do certain things, and also why they are to be done. Workmen may also follow old methods slavishly, learning merely to do what their fathers did before them, or they may develop new ideas, give scope to the individual powers of the workman, and profit by the labours and discoveries of others. It is, therefore, well not only to educate artisans by apprenticeship, but to train them in schools in which the higher excellencies may be cultivated.

This method, which has for many years been common in other countries, has only recently been adopted in England. It may be hoped that before long there will be no art or serious occupation in life for which training will not be available. But we must remember, in our zeal for technical instruction, that practice must go before theory, and that it is better to proceed from the known to the unknown than from the abstract to the concrete, and also that technical education is not an end in itself, but can only produce its best results when it is based upon a broad and solid foundation of general education.



CHAPTER V.

THE POOR-LAW UNION.

WE have hitherto considered the duties of the citizen with regard to the ordinary government of his parish and the education of his children. We have now to consider his duties with regard to the poor and those who are for various causes not able to support themselves.

All societies of which we have any knowledge have always contained members of full age who have contributed nothing to the wealth of the community, and have been in consequence supported by the exertions of others. In cases of old age and sickness this cannot be avoided. All who are prudent will, it is true, lay aside during their years of vigour sufficient to support them in their old age, or in case of an unexpected breakdown. But some may not have the opportunity of this thrift, and they must rely on the charity of their neighbours, or upon the arrangements made by the state for their support. Also, in a large and complicated society there will always be some who are quite able and willing to work, but who cannot find work to do, and must be supported, together with their families, during periods of enforced idleness.

But there will always be found a certain number of persons who refuse to work at all, if they can possibly avoid it, who prefer to live a shiftless vagrant life, on the verge of destitution, clutching at every help held out to them by the community, rather than contribute any share of their own to the common stock. The existence of these drones—and no system of government has as yet been able to extinguish them—makes the chief difficulty of relieving the deserving poor. Any machinery for helping those who need assistance is certain to be taken advantage of by those who have no other end in view but to foster their self-indulgence.

We can imagine a community in which pauperism does not

Pauperism
and its
causes.

exist. By good education and by wise arrangement of ~~certed~~ family labour, the drones may have been absorbed. Opportunities of saving may have been created which enable every one to put by something for a rainy day. Should a few individuals remain who have nothing to depend upon in their old age, they will be boarded round by their relations or friends, and will not become a burden to the community at large.

At present we are far from such a condition, and the manner of dealing with the poor and destitute is a serious anxiety, as the charge of them is a serious expense.

Unions.

For the purpose of poor-law relief England is divided into "Unions". About seventy years ago, the condition of poor-law relief in England being very bad, serious efforts were made to alter it. Commissioners were sent all over the country to examine into the existing state of things and to make them better if possible. They grouped parishes into Unions, a single parish sometimes forming a union by itself. Their general idea was to take a market town as a centre, and to group with it the surrounding parishes, the inhabitants of which resorted to its market. This was done because a centre was supposed to be convenient for the attendance of guardians of the poor and of parish officers. Before this time many unions of parishes had been formed under special acts of parliament, and particularly, in 1782, by what was called Gilbert's Act, parishes were allowed to combine for purposes of poor-law relief, provided that they were not more than ten miles distant from the common workhouse in which their poor resided.

Every Union has a workhouse. As the name would imply, this was originally intended as a home for able-bodied paupers,

The work-house. who might within its walls be compelled to do the work which they were either unable or unwilling to perform outside. Workhouses have long ceased to have this use, and are merely dwellings for the destitute both old and young.

In forming the Union, the commissioners seemed to have wished that they should, in the first instance, be small enough

for the guardians to have personal knowledge of all the details of management. They also wished to make use of the existing workhouses, and took into account various other local circumstances and feelings. Further legislation was required to bring all parishes under Unions, but that is now accomplished, and there is no spot in England which is not in some Union or other. But the result of this method of proceeding has been that the areas of Unions are unequal in size and irregular in form, and they do not coincide with the boundaries either of towns, villages, or counties.

The Poor-law Union is administered by a Board of Guardians. These are elected in April of every year by the ratepayers of the parishes who form the Union; but in country parishes there is not a special election of guardians, Boards of
Guardians. since the district councillors now act as guardians. The number of guardians to be elected by each parish may now be fixed by the County Council. Formerly this was done by the Local Government Board, the department of the government which has the control of these matters, only it is provided that every parish of three hundred inhabitants must have at least one guardian assigned to it. The number of guardians is very frequently not proportionate to the population. The voting is by papers, and is secret. A guardian holds office for three years, and one-third of the body of guardians retire each year. Women may act as guardians.

The power of the guardians was intended to be very large, but in practice it is extremely limited. The manner in which the guardians may transact their business is precisely defined by regulation of the Local Government Board. Neither the times of meeting, nor the appointment of the presiding officers, nor the times of adjournment in case of there not being sufficient members present to conduct business, nor the mode of voting, are left to the discretion of the Board. The powers
of the
guardians.

Every Union has a clerk who cannot be removed by the Board which he serves, and who is answerable to the Local Government Board in many cases, especially in matters of

finance. He therefore enjoys a position of independent authority which lessens the power of the guardians themselves. Further, the work of the guardians is divided amongst committees so that each individual guardian will see but little of the management. A man may be guardian for many years without seeing the interior of the workhouse, and he will find that financial matters are left almost entirely to the clerk. There remains to him therefore what, after all, is his most important duty, that of hearing and considering applications for relief and determining what relief shall be given.

The principle which determines that relief shall be given, is that a society should not allow any of its members to perish from causes which might be prevented, and therefore should provide a certain maintenance for those who, from any cause whatever, have come to

The principle of poor-law relief. such a condition as that without help they would die of want. This, however, cannot be done without attendant dangers. If men know that the necessities of life are to be had for the asking, they will come to the State for aid when they are not really destitute, and in this manner State relief will promote idleness and other kinds of mischief. Also, if they know that they will be thus supported when they are unable to work, they will have no object in becoming thrifty and self-dependent. Further, the State, by undertaking this duty, prevents it from falling on relatives and friends to whom it naturally belongs. Indeed, in the present administration of the poor-law there is nothing so difficult as to compel those who are well-off to provide in a proper manner for their poor relations. Lastly, the provision of that relief tends to interfere with the natural course of trade and employment, and to benefit particular interests at the expense of others. The conscientious guardian will, therefore, in granting relief, have to keep these things in mind, and to steer an even course between the duty of philanthropy on the one side and the mischief which he may do on the other. These conflicting considerations have always formed, and will continue to form, the great difficulty of poor-law legislation.

The guardian performs the duty of relieving the poor in the first case through a relieving officer. His principal duty is to receive all applications for relief made to him in ^{The relieving officer.} ~~the district,~~ and immediately to examine into the ^{rules of} circumstances of every case, by visiting the house of the applicant, and by making all necessary inquiries in order that the results may be reported at the next meeting of the guardians. This is an excellent plan if it is properly carried out, but relieving officers have frequently more cases under their charge than they can properly control.

On the report of the relieving officer the guardians determine what assistance shall be given in each case. The applicant is supposed to attend in person, but the duty is often transferred to a relative or a friend. The time for the disposal of each case is very short, being, as a rule, not more than three minutes. It follows, therefore, that the discretion of the guardian lies in the choice whether he will treat a case with indoor or outdoor relief, that is, whether he will send the applicant into the workhouse, or will grant an allowance to him in his own home out of the parish funds.

The principal object of poor-law legislation in England has been to prohibit outdoor relief. It has regarded the fear of the workhouse as the best method of compulsion towards providence and thrift. But it has been ^{The object of poor-law legislation.} found impossible to carry this out in practice, and the number of persons receiving outdoor relief has always largely exceeded those who are lodged in workhouses. It would be considered inhuman and an outrage against common feeling if all cases of sudden sickness or accident, or bodily and mental infirmity, in the indigent poor were immediately sent to the workhouse. Liberty to do otherwise must have been given by law, but the liberty so allowed has been used far more widely than was at first intended.

The workhouse is administered by a number of officers, the doctor, the master and matron, the chaplain, the schoolmaster, the nurse, the porter, and other assistants. The duties of all these are very carefully defined. Most of all does the condition

of the workhouse depend upon the character of the master and the matron. It is their business to enforce order, industry, punctuality, and cleanliness. They have to read ^{The govern-} prayers every morning and evening, to enforce ^{ment of the} employment upon the inmates according to their workhouse. capacity for work, and to allow no one who can work to be idle at any time. They must visit the wards twice a day, morning and evening, and give notice of any deaths to the relations.

The porter must keep the gate and allow no one to go in or out without leave of the master. The gates are locked at nine, and are opened in the morning at six.

The original idea of the workhouse system was to subject the pauper inmate to such a system of labour and discipline as should be sufficient to outweigh in his estimation the bodily comforts which he enjoys. This idea of giving the workhouse a character between a jail and an almshouse still determines the principles of its management.

The house, if large enough, is divided into seven wards, for the aged and infirm men and women, the able-bodied men and women, for boys and girls between the ages of seven and fifteen, and for children of both sexes under seven. The food is sufficient but moderate, consisting very largely of milk and porridge; the life is mechanical, and the discipline strict. Most workhouses are far too large for the numbers they contain, and the administration costs nearly as much as the support of the inmates. The lot of workhouse children used to be very hard in past times, but has been much improved in recent years.

Over against the workhouse stands the system of outdoor relief, which is given in many various forms. It may take the

^{Outdoor} ~~relief.~~ form of money, which is the most usual, or the form of food or clothing, or of medicine and surgical appliances, or of apprenticing children or assisting to educate them. It may also be afforded by allotments of land or by aiding emigration. The money relief is generally given by the relieving office at some stated time and place, and has to be fetched by the relieved persons themselves or their friends.

Another aspect of the workhouse is the treatment of casual paupers, that is, wandering poor people who happen to be near the workhouse. These used to be designated by the names of tramps and vagrants. They are admitted in the casual wards of workhouses by various officers for one night only, and not before six in the evening in winter, and eight in the evening in summer. The vagrant must submit to be searched and bathed, is fed on bread and gruel, and cannot be discharged till eleven the next morning, and then only if he has done the task-work which has been set him. These arrangements are unsatisfactory from the difficulty of distinguishing between the honest labourer who is tramping in search of work, and the tramp who spends his life in wandering from workhouse to workhouse. There are many thousands of persons in England who know no other life, and no means has yet been discovered for thrashing them out.

Something should be said in conclusion about the rule of settlement, which was once a great hardship, but is now much less burdensome. It depends upon the principle that each parish is bound to maintain its own poor and not those of other places, so that every pauper was considered to have a settlement in some one parish, on which he was chargeable and to which he could be removed. A person now becomes by law "irremovable", that is, becomes entitled to permanent relief in a parish, after ~~six~~^{one} years' residence; he also acquires a settlement in a parish, after three years' residence. A woman on marriage takes her husband's settlement, if that is known, and no child under sixteen can acquire a settlement, but takes the settlement from the father, or from the mother if the father be dead.

We have thus shown that it is the duty of a citizen to provide for the indigent, and that this duty has very properly become a department of state activity. Each of us by giving thought to these difficult subjects may, according to our capacity, help in their solution. We should study the principles of charitable relief, and take care that our philanthropy does not do more harm than

The citizen's duties towards the poor.

good. If we are guardians of the poor, or overseers, we should endeavour to administer our trust so as to conduce to the benefit of the community even at the cost of apparent hardship to individuals. And above all, we should set a good example to others by economy and thrift, well knowing that if all would work, and husband the results of their labour, pauperism would be unknown, as the ordinary operations of humanity and kindness would be sufficient to deal with inevitable accidents.

CHAPTER VI.

BOROUGHS AND COUNTIES.

IN what has been said above you have been made familiar with the village and the parish, and also with the unions of parishes established for the purposes of poor-law relief. But the more important part of the life of England is to be found in towns, which when they have powers of self-government are called boroughs. Many of these boroughs are ancient, others quite modern. Some are called "county boroughs", as having in most respects the position of counties. A number of the ancient boroughs which were once places of importance have now dwindled to the condition of small villages. These for the most part no longer have self-government, and are no longer boroughs. The boundaries of boroughs are very capricious. They are not coincident with the limits either of parishes or counties, nor are of the same dimensions as the parliamentary boroughs which have been formed for the purpose of electing members of parliament.

The government of a borough is intrusted to a corporation, that is, a body of officials consisting of a mayor, aldermen, and burgesses, which is another name for the citizens of the borough. The burgesses do not govern directly, but by means of a town-council elected by them. All those have a right to vote who occupy a building within

The govern-
ment of the
borough.

the borough and reside within seven miles of it, and who are on the rate-book for the payment of poor and borough rates. In ancient times the freedom of the borough, that is, the right of citizenship in the borough, used to be given to a number of inhabitants on different grounds, and many of these ancient privileges still survive. The burgesses who are entitled to a vote elect the town-council every year by secret voting, the council being large or small according to the town. The council thus elected choose the aldermen and the ^{The borough} _{officials.} boroughs are generally divided into parts called wards, each ward having one or more representatives. The mayor and aldermen are not necessarily chosen from the members of the town-council, but they must be persons qualified to be councillors, which is the same qualification as that of electors. The mayor holds office for one year, but may be re-elected, the town-councillors hold office for three years, and the aldermen for six. The council appoint a town-clerk, who is an important personage. He has the custody of the charters, deeds, records, and documents of the borough; it is his duty to serve the summonses for the meetings of the council, and to act as secretary to the council at their meetings and otherwise. They may also appoint a treasurer and other officers. Much of the work of the town-council is performed by committees, which are either continuous, or are nominated for a particular purpose. They are, however, limited to members of the council, on the principle that those who have power handed over to them by a particular body, may not hand over that power to any one else.

The town-council undertakes all the most important duties which concern the government of the borough. It is responsible for its being properly lighted after dark, and for such a guard being kept that life and property are secure. It also has the general charge of the public health under the laws which have been made for that purpose, and in many cases it has certain duties with regard to higher as well as to public ele-

³ ₄ ^(a) Publ
ageni
The duties
of the town-
council.

mentary education. All town-councils have not by any means the same extent of power. They are under the Local Government Board, which is a branch of the central government, and by this they are permitted to do certain things, which differ according to the responsibility with which they may safely be intrusted.

The mayor is the chief officer in the corporation. He has precedence of all persons in the borough. The mayor is elected by the council from among the aldermen or coun-
The mayor. cillors, or persons qualified to be such. An alderman is generally selected for the office. He represents the borough on all public occasions. The amount of his remuneration is fixed by the council, and it is right that he should receive a salary, as he has much hospitality to dispense. The election takes place in the month of November at the ordinary quarterly meeting of the council, and it is directed by statute that it should be the first business transacted at the meeting. The mayor is necessarily a magistrate for the borough, and chairman of all meetings of the council; he is also the returning officer in parliamentary elections, and a member of the watch committee. If he dies or becomes bankrupt while in office, the town-clerk must call a meeting of the council to fill up the vacancy. If he is rendered incapable for a time, by illness or otherwise, he may appoint a deputy.

The town-council must hold four quarterly meetings every year for the transaction of general business. The mayor may

The meet-
ings of the
council. also call a meeting at any time. If he refuses, five members of the council may summon it. Except

in the case of the ordinary meetings the town-clerk must circulate a paper of the *agenda*, or business to be transacted, three days before the meeting. Minutes of the proceedings are taken, and are confirmed by the signature of the chairman of the next meeting. These minutes may be inspected and copied by any burgess on payment of a shilling.

Special laws made by the borough are called *bye-laws*, the word *bye* being derived from the Danish and signifying a town. We find this word in the names Rugby, Derby, Grimsby, and

others, which were originally Danish settlements. The bye-laws may be enforced by fine not exceeding £5. Power is given to the privy-council to disallow any bye-law wholly or in part. Every citizen is expected by law to know and to obey an act of parliament, even though it is not printed and cannot be obtained by the public, but no borough bye-law can come into force until it has been promulgated for forty days.

Bye-laws.

From 1903 onwards the town-councils will have important powers and duties in regard to education, all the more important councils being now the "local education authority" in their respective areas, at least for elementary education.

Boroughs have also certain judicial authority, that is, they have the power of punishing offences committed within their limits. The mayor and the last ex-mayor are justices of the peace of the borough for the time being. To some boroughs much larger judicial powers are given, which will be explained in another chapter. Boroughs may also levy borough rates for certain purposes, and may contract loans for improvements under the authority of the Local Government Board.

The judicial authority in boroughs.

The ordinary functions of the town-council consist in the management of corporate property, the maintenance of a proper police force, the regulation of markets and burial-grounds, the levying of rates, and, when necessary, the raising of loans. In the absence of special local acts of parliament it is the duty of the council to see that the town is properly paved, lighted, cleaned, and supplied with gas and water.

Both parishes and boroughs are combined in the larger divisions called counties. Of these England contains forty, and Wales twelve. These numbers are exclusive of boroughs that are treated as if they were counties for many purposes. From the earliest times counties have been subdivided into smaller parts, which were generally called *hundreds*, but in some parts of England *lathes* and *wapentakes*, for purposes of taxation. Although the names of these smaller divisions are known they have to a great extent gone out of

Counties.

use, except that the divisions of counties for returning members of parliament are frequently founded upon them.

Counties are also divided for judicial purposes into what are called petty sessional divisions, each of which may consist of any number of parishes or parts of parishes. Each of these divisions must have at least five justices of the peace residing or usually acting within it. The petty or smaller and inferior sessions are so called to distinguish them from the general or quarter sessions, in which the whole body of county justices meet. It is necessary to have two justices present to hold a petty sessions.

The two great officers of the county are the lord-lieutenant and the high-sheriff. The lord-lieutenant is appointed by the

^{The county crown, and is usually a large landholder and very often a peer. He represents the crown in the}
^{officers: the Lord-lieutenant.} county for military purposes, and is in name the commander of the county *militia*, or armed military force, although many lord-lieutenants would cut a poor figure if they were suddenly called upon to exercise these duties. He has the power of appointing gentlemen to act in his place, called deputy-lieutenants, who would naturally hold military commands under him. The office of deputy-lieutenant is now chiefly valued because it confers a certain social distinction, and entitles the holder of it to wear a uniform with silver lace and a cocked hat.

The lord-lieutenant has also the very important power of recommending names for the office of justices of the peace, the appointments being actually made by the lord-chancellor as representing the sovereign. Until recently the whole administration of the county was in the hands of the justices, which made this privilege very valuable. Even now, when the power of the justices is restricted to their judicial functions, they cannot help having a great deal of influence.

The lord-lieutenant generally also holds the office of *custos rotulorum*, or keeper of the rolls or records, which is conferred on him by the commission of the sovereign, with the royal sign manual, that is, the signature of the king himself. This

gives him the position of the principal justice of peace in the county.

As the lord-lieutenant was primarily a military, so the high-sheriff was a legal officer. He is now the principal representative and agent of the crown in the execution of the law. His principal duty is to receive the judges when they come on circuit, to take care that they are surrounded with the pomp befitting the representatives of the sovereign, that they are provided with a state-coach, with trumpeters to announce their presence, and with a special escort of javelin men. If any one in the country is condemned to be hanged, the sheriff must either find someone to perform the operation or execute it himself.

The high-sheriff was originally an elected officer, being, as his name implies, the reeve, or principal man, of the shire. At the present time the judges and the privy-councillors sitting in the Court of Exchequer nominate three persons, who have lands in the county, for this office, and of these one is selected, or, as it is called, pricked, for the office of sheriff by the crown. The ceremony is called pricking, because a list of qualified persons is laid before the judges, and a pin prick is placed opposite the names of those selected. It is an expensive office, and although it carries distinction with it, many country gentlemen would sooner be without it. The sheriff is an unpaid officer, and he is liable to a heavy fine if he refuses to serve.

As representing the law, the sheriff has to summon juries, to try cases in which compensation is demanded, and to carry out the decisions of the superior courts. That is to say, if a superior court of law orders any penalty to be inflicted, the sheriff through his officer has to see that it is done. For these purposes he appoints an under-sheriff, who is generally a solicitor.

Although the high-sheriff represents the law, it is rather in the execution of its decrees than in the duty of giving legal decisions. He cannot, therefore, act as justice of the peace during his term of office. Another important part of the duties of the sheriff is to act as returning officer in elections for the county. He has to decide upon the number and position of

the polling places, to appoint proper persons to preside during the poll, to be present at the counting of the votes, and to declare the state of the poll when the election is complete. His office only lasts for one year, and therefore, although it is distinguished and honourable, it does not give the holder of it the power of seriously influencing current affairs.

Another important county officer is the coroner, popularly called the crowner, whose duty it is to hold inquiries in the case of sudden death or of treasure trove, that is, of *The coroner.* money or other valuables found without an owner, which properly belong to the crown. Until recently, indeed for more than six hundred years, he was elected by the free-holders of the county when ordered to do so by the sovereign, and a salary was paid to him out of the county rates. He is, however, now appointed by the county council.

Large counties are usually divided into districts and a separate coroner is appointed for each. In this case he acts only within the district for which he is appointed, but he is a coroner for the whole county. He formerly held his office for life, and indeed could only resign it by accepting some other office, such as justice of the peace, which was incompatible with it; but he is now liable to be removed by the lord-chancellor upon sufficient grounds.

It will be seen from what has been said that the administration of the county had gradually passed from being of a popular *County government.* and even of a democratic character, to become a centralized organization under the authority of the crown. The crown commanded the military forces of the county through the lord-lieutenant. It provided for the execution of crown law through the sheriff, it had officers in every county in the person of the coroner to represent it and to protect its rights. Moreover it possessed in the shape of justices of the peace a number of wealthy and influential persons whose power was conferred on them from above rather than by popular election from below.

The term justices of the peace requires some explanation. One of the most important duties of the king was to preserve

the peace, that is, to take care that all his subjects might go about their lawful occupations without let or hindrance, that the roads should be free from marauders, and that the operations of industry and commerce should not be disturbed by the outbreak of private quarrels between turbulent nobles. A king who could not preserve his peace was thought unworthy to reign, as having failed in one of the most important duties for which he was appointed.

In order that the king's peace might be preserved, a body of men was established in each county, with the lord-lieutenant as *custos rotulorum* at their head, who together formed the commission of the peace, that is, they held as a body a commission from the crown to maintain the king's peace. These are generally known as justices, justices of the peace, or J.P.'s. Until recently they held not only judicial but administrative functions of the highest importance, which they exercised through the Quarter Sessions; indeed the county was governed by them, with little regard to the wishes of the people. Their administrative duties have now been transferred to the County Councils, bodies elected by the people, and they are now confined to their duties as magistrates or judges. They are, as we have seen above, appointed by the lord-chancellor, on the recommendation of the lord-lieutenant, and they still meet in quarter sessions and in petty sessions.

Before approaching the subject of the County Councils, we may remark that some counties have an exceptional organization. Yorkshire is for all practical purposes divided into three counties, which are called "ridings" or "trithings". Lincolnshire is three counties for some purposes and four for others. Cambridgeshire, Essex, Suffolk, and Surrey are each two counties for certain purposes. Cambridgeshire and Huntingdonshire have a common lord-lieutenant, and so have Cumberland and Westmoreland.

In the year 1888 the administrative powers, previously held by the justices at quarter sessions, were transferred to new bodies of a popular character called County Councils. This made a great change in the local government

of England, but at the same time it went back to a kind of government which had been in use in this country in earlier times.

County Councils were ordered to be elected for the counties and the divisions of counties which we have mentioned above, and also for a new county of London consisting of the city of London and the metropolis. At the same time the time-honoured corporation of London still retains the great part of its privileges. Thus England possesses sixty-one County Councils, each of them forming a small local parliament. The Councils consist of a chairman, county aldermen, and county councillors. The counties and sub-counties are divided into electoral divisions, each of which returns a single member elected for three years.

The principal power transferred from the justices in quarter sessions to the County Council are the levying and expending 1

The powers of the County Council. of the county rate, the power of borrowing money, 2

the maintaining of county buildings, the manage- 3

ment of pauper lunatic asylums and industrial 4

schools, the maintenance of county bridges, and the division of 5

the county into polling districts for parliamentary elections; the 6

licensing of theatres, and the granting and suspending of music 7

and dancing licenses, as well as the carrying out of various acts 8

of parliament which refer to local government. Also, certain 9

new powers are given to County Councils which the justices of 10

quarter sessions did not previously possess. The most im- 11

portant of these are the appointment of coroners and of 12

medical officers of health, the entire maintenance of main 13

roads, the power to oppose bills in parliament which refer to 14

county matters, and to make bye-laws for county government.

It was originally intended to transfer directly to the County Council a large number of the powers and duties now held and exercised by various departments of the state. But it was not thought wise to intrust too large an authority all at once to new and untried bodies, and the delegation of these powers can only be given by orders of the Local Government Board confirmed by parliament, with the consent of the

department affected. As time goes on it is probable that the power of County Councils will be much larger than it is at present.

One of the most important of the new duties given to County Councils is the repair and maintenance of roads. The roads of England are very poor compared with those of several foreign countries, and this is seen not only in the character of the roads themselves, but in the condition of the sign-posts and milestones. In France, for instance, not only are all important roads marked by milestones, but at each end of every village a plate is fixed with the name of the village and its distance from the nearest village on that side, and at every turning there is a sign-post with the distances of the villages to which it leads accurately inscribed upon it. These plates and sign-posts are of cast-iron, so as to be nearly indestructible, and are painted blue and white so that they may be easily read. Consequently the traveller in France has no difficulty in finding his way, although the abundance of directions may be of some advantage to an invading army. It will apparently be long before even the County Councils bring our English roads up to this level.

Much also is to be expected from the powers which County Councils have to prevent the pollution of rivers. The control of the county police is not as yet made over to County Councils, but is intrusted to a joint committee consisting of an equal number of County Councillors and of justices of the peace selected by quarter sessions.

By the Education Act of 1902, as already stated, further important powers and duties were conferred upon the County Councils. The local educational authority of a county or county borough is now the county or borough council, which, however, except as regards levying a rate or borrowing money for educational purposes, exercises its control of the schools through a committee or committees. A majority of the members of the education committee will be appointed by the council, and the committee is to include persons of experience in education and special knowledge of the needs of localities,

women being eligible as well as men. Any scheme for establishing such committees, or for providing new schools, must have the sanction of the Board of Education.

The county boroughs include all boroughs having a population of over fifty thousand inhabitants, as well as some cities ^{County} boroughs and boroughs respectable from their antiquity which have a smaller population. They are thus taken out of the general administration of the county, and are to all intents and purposes counties of themselves. In these cases the town-council is also a county council, and exercises the combined powers of a county council and a borough corporation.

One of the most striking effects of this change has been the creation of the London County Council, which embraces the whole metropolis, the city of London being allowed to stand aloof from the arrangement until it chooses to pass under it. The members of this Council are chosen in the parliamentary divisions with a double number of representatives. Besides the powers which are given to all other County Councils, the London Council is invested with a large control over public works and buildings in London.

The calling into being of local bodies of this nature has two advantages. In the first place, it makes it more easy and safe

^{The advan-}
^{tages of local}
^{government.} to exercise central authority, because the development of a strong central power is dangerous, unless the subordinate powers which derive their strength from local life and feeling are carefully preserved. The example of a neighbouring state has shown us that too often to strike at Paris has been to conquer France. Secondly, these subordinate assemblies form the best training grounds for those who are fitted by ability and energy to transact the business of the county. A Birmingham boy once said to a defeated parliamentary candidate: "Ah! you should first stand for the School Board and then for the Town Council, and then you will get into parliament easily enough". The existence of parish, district, and county councils will not only assure to England a vigorous and healthy political life, but will

also provide a permanent supply of fit persons to perform the most important duty which can fall to the lot of a citizen, that of serving the state as a member of parliament.

CHAPTER VII.

PUBLIC HEALTH.

NOTHING is more remarkable than the attention which has been paid by the legislators and the community in recent years to the conditions of public health. It might seem at first sight that health was a matter of ^{The state and} _{public health.} private concern to each separate individual, and that cleanliness in all respects was so much to the interest of each citizen that the attainment of it might be left to individual effort or to voluntary combination. A little reflection will show that not only is it impossible to secure perfectly healthy conditions without the co-operation of all, as in drainage, in the supply of water and gas, and in other similar matters, but that even if the cleanly had the power to secure cleanliness for themselves, they must be protected from the disastrous effects of the uncleanliness of others.

It is only recently that the laws of health and the conditions by which disease may be stamped out have been properly understood amongst us, and it is a great testimony to the excellence of our arrangements that independent Englishmen have been found to submit to them so quietly. The differences between town and country life give rise to differences in the duties of public health authorities. For sanitary purposes the county is divided into boroughs and urban districts, and rural districts. Within the boroughs, the town councils already described are responsible for public health administration, along with their other work. The ^{Urban} _{district} _{councils.} urban district councils resemble the borough councils, but with several important differences. The term of office

is three years, the councillors retiring either in a body at the end of the term, or one-third of their number each year. They appoint a chairman either from their own number or from outside, and during his year of office the chairman is a justice of the peace. The urban district council, however, has no aldermen. The committees which it appoints for the several branches of its work have power to co-opt, or add to their own number, persons who are not councillors but are qualified by special knowledge or experience to help the committee in its particular work. Another important difference between the urban district and the borough is that women are eligible for election to the council. The urban district councils differ much in importance, and when the population is large, their work is very much the same as that of the council of a municipal borough.

The rural district councils took over the public health duties formerly discharged by the boards of guardians in the rural

Rural
district
councils. portions of their unions. One election suffices for the two bodies, as the parishes are represented by

the same persons on both the board of guardians and the rural district council. It thus happens that in the rare cases where the rural district and the poor-law union consist of the same parishes, the council and the board of guardians are identical. The constitution of the council is the same as in the urban districts.

These two classes of authority have very different powers conferred upon them. The town authorities have the general

The sanitary
authorities
and their
powers. oversight of all town improvements, such as the making of new streets, the maintenance and repair of bridges, the creation of open parts and of markets, objects which conduce not only to public convenience but to public health. They have also under their charge the lighting of the town, whether by gas or electricity, the regulation of traffic, the supply of public vehicles, and arrangements for the extinction of fire. These powers are not all possessed by the rural sanitary authorities, though some of them are now exercised by the rural parish councils.

On the other hand, the sanitary authorities both in town and country have the control of the supply of water, and of the drains of houses as well as of the main sewer of the district. They have power to inspect private houses, to see if they harbour nuisances, and, if so, to prevent them. They may insist that dwellings are sufficient for the health of those who live in them, that families are not cooped up in cellars unfit for human habitation. They also see, but as yet imperfectly, that the producers of smoke do not allow it to affect the atmosphere. It is also their duty to see that rivers are not polluted, or, if they have already suffered, that they shall be purified. In this matter the County Council possess a joint authority.

It is also their duty to provide hospitals for the sick, cemeteries for the burial of the dead, and mortuaries in which dead bodies may be placed before burial instead of being left in the house. They have also to take precautions to prevent the introduction and the spread of infectious diseases, such as cholera or small-pox. Their extensive powers are vast, with varying degrees of strictness in different places, according as public opinion stimulates or restrains their employment.

The expenses of their operations are borne in the towns by a special rate, called the general district rate, and in the country by a similar rate. Seaports at which customs are collected are under special arrangements. This is reasonable, because they are places of exceptional danger with regard to the introduction of dangerous diseases.

Expenses:
how met.

The powers of sanitary authorities over public health which we have hitherto enumerated are compulsory, although they are not always complied with. There are also powers which are permissive, that is, which are left to the judgment of individual places. Amongst these is the erection of public baths and wash-houses, which were started about fifty years ago. Public wash-houses relieve the crowded home from the burden of the wash-tub, and the owner of the clothes washed from the danger of infection. The importance

Baths and
wash-houses.

of baths that are within easy reach is obvious. Of late years swimming has taken a great development, and in some towns the children in the public schools have to attend swimming-baths, and are encouraged to learn to swim. At some future time perhaps a swimming-bath will be thought a necessary part of every school.

Let us now consider these matters more in detail. Sanitary science, or the knowledge of the laws of private and of public health, is still in its infancy. Indeed, it is only of recent years that people have admitted that public health can be improved by public laws. Formerly the outbreak of an epidemic disease was looked upon as a calamity which could not be averted. But year after year the knowledge of these matters became wider and more complete, and we find that nearly all diseases come from the neglect of sanitary precautions and the violation of sanitary laws. It is true that the causes of infectious and contagious diseases are not yet known for certain. The theory which is most generally accepted is that they spring from certain germs, each disease having a special germ of its own. These can be communicated either through the air we breathe or the water we drink, or by actual contact with a person already affected. At any rate, we learn by experience that by carefully separating the sick from the healthy, and by disinfecting the clothing worn by them, we may stop the progress of disease.

We also know that pure air and water are the essential conditions of health, and that where air and water are polluted disease is almost certain to arise. It is found that if the gas given off by drains and sewers is allowed to escape into dwelling-houses, disease generally follows, whether the sewer-gas is in itself the cause of the disease, or whether it carries with it the poisons which produce the disease. It is on record that the pollution of water from a single case of illness had caused the sickness of hundreds and the death of many. Dangerous diseases like scarlet fever and diphtheria have been traced to the use of unwholesome milk. Other admitted causes of disease are decaying animal and

*Conditions of
health and
disease.*

vegetable matter, and the crowding of human beings into a space too small for them.

Sanitary science has achieved some remarkable triumphs. Typhus fever, which used to cause over a thousand deaths a year, now causes only a few. Small-pox, which was once a fearful scourge, has been checked. Effects of science. What is called "the expectation of life" has largely increased. The tables of life insurance companies show that the probability of the duration of life has been lengthened about ten years in the past century, and there is evidence that a similar lengthening took place in the century preceding.

It is not, however, death and disease only against which we contend. Unhealthy surroundings cause loss of vigour and the lessening of the power of work, and this means a very serious loss to the community at large.

Although the greater part of our present sanitary legislation is of modern origin, we must not suppose that it was entirely neglected by our forefathers. It is part of the common law of England that a man may be prosecuted for causing or permitting to exist a nuisance injurious to health; for instance, a man may be indicted on a criminal charge if he accumulates filth on his land so as to cause a nuisance to his neighbours. It is known that the father of William Shakespeare, the great poet, was twice fined at Stratford-on-Avon, once for depositing filth in the public street in violation of the bye or local laws of the manor, and again for not keeping his gutters clean. But the common law merely punishes individuals for what they have done. It does not aim either at prevention or cure.

The two functionaries whose duty it is to carry out the laws relating to public health are the medical officer of health and the inspector of nuisances. The medical officer of health must be a qualified medical man. His duty is to keep the proper authority informed as to the Sanitary officials: (1) the medical officer. health of the district, to keep a watchful eye on the sanitary bye-laws, to mention anything defective in sanitary arrangements, and to give warning of the approach of an epidemic

He also has to make an annual report on the health and sanitary condition of his district to the Local Government Board, and to send a special report in the case of an epidemic outbreak.

The inspector of nuisances may be the same person as the medical officer. It is his duty to search out and to report to the

(2) The inspector of nuisances. local authority all nuisances which are dangerous to health, and, if he is so instructed, to take measures for their removal. He also makes reports

to the medical officer, unless the two offices are held by the same person. It is also his business to procure samples of food to be examined by the public analyst. This analyst is also bound for a small fee to examine any drug or article of food submitted to him by private individuals.

It is the duty of the local authority to provide proper sewers and a map of its sewer system. It must keep its sewers

Powers of local authorities. clean and ventilated so as not to be injurious to health. If a house be within a hundred feet of

the public sewer, the owner may be compelled to drain into it. The local authority has ample power for the formation of sewage schemes, and for providing for the scavenging and cleaning of the houses and streets in the district. If there has been an infectious disease in any house, or if a dwelling is in a filthy condition, the local authority may require it to be whitewashed and purified. No part of any dwelling-house may be made into a pig-stye. In short, by act of parliament every householder is bound to keep his house and premises wholesome and clean, and the local authority is bound to see that he does so.

Further, if a district is not already supplied with water by some regularly recognized water company, the local authority may undertake the local supply. It may be repaid in two ways, either by a general water-rate, or by charging for the water supplied at a certain rate. It may compel any householder who has not a proper water-supply to take a sufficient amount of water from the public source. It also has power over cellar-dwellings and lodging-houses, and over offensive

trades, such as soap-boiling or tallow-melting. Also, if there be no existing gas company the local authority may undertake the supply of gas both for streets and for private houses.

The regulations for the prevention of infectious disease will probably be made more stringent than they are at present, and will be carried out with greater care. There is a law that any one suffering from an infectious disease who wilfully exposes himself in a public place, or who gets into a cab or omnibus without warning the driver, is subject to a penalty of £5. But very often the penalty is not put into force, and persons are left to take their chance of infection. Mortuaries, or places for the reception of dead bodies, are provided by the local authority, but there is no power to compel the removal to them of persons who have died of infectious disease unless there are other persons actually living or sleeping in the same room. Infected clothing may be burnt by order, and a house disinfected, but only in certain towns are cases of infectious disease systematically reported to the local authority. In some large schools if a case of scarlet fever occurs, the patient is immediately removed to a separate building, and all clothing and bedding are subjected to a heat sufficient to destroy all poisonous germs. This has been found effectual in checking the spread of such diseases, and there can be little doubt that a similar rule applied to general dwellings would produce an excellent effect.

Hospitals may be provided by local authorities, but public opinion does not as yet sanction the practice that all people, rich and poor, suffering from infectious disease should be nursed in special hospitals and not in their own homes. A person suffering in this manner who goes into a hospital benefits two parties, himself and the public. The patient gets the benefit of hospital appliances and nursing, and the public is protected from risk of infection.

In enumerating the powers possessed by local authorities, it must not be forgotten that the Local Government Board has in certain cases the power of forcing these authorities to perform the duties which are intrusted to them. If a

Law as to
infectious
diseases.

local authority fails to provide water for its district, or to secure the construction of a proper sewer, the Local Government Board may after due inquiry order the local authority to execute the work within a certain specified time. If the order is not obeyed, the Board may either call upon the courts of justice to enforce compliance, or it may appoint persons to do the work and recover the expenses from the local authority.

CHAPTER VIII.

ROADS, STREETS, BUILDINGS, AND LANDS.

A HIGHWAY is defined by lawyers as a public road which all subjects of the realm are entitled to use, and by law highways

Highways and main roads. are of two kinds, ordinary highways and main roads. In the last century the main roads were

placed under the management of trustees, who had power to defray their expenses by collecting tolls; the theory being that those who made use of the roads should contribute to their maintenance exactly in proportion to the use they made of them. This, however, has been found in practice to be both costly and inefficient, and the turnpike roads have now ceased to exist.

Roads, as has been already said, are placed under the control of County Councils, and there is much to be done before they can be brought up to a proper standard of excellence.

Street paving and lighting. It is the duty of town-councils and other local authorities to provide for the proper paving and lighting of streets. There are many ways of doing this. Streets may be paved with square blocks of stone, or with asphalte or with blocks of wood, and they may be lighted by oil lamps or by gas or electricity. The money for these purposes is raised by rates which are paid by householders. No citizen can reasonably grudge this contribution, as the

work is for the safety and convenience of all, and cannot be done except by all working together for a common purpose.

Another object for which public money may properly be spent is in the provision of public parks and recreation grounds. The tendency for many years past has been for the inhabitants of the country to float into the towns, so that the towns increase not only by the natural growth of population, but also by the addition of many hundreds whose place would be more naturally elsewhere. This evil raises the value of building land, and makes its owners anxious to sell it at the highest price. If no steps were taken to prevent it our towns would consist of dense masses of buildings, in which the largest number of people are crowded together in the smallest possible space. It is the duty of a good municipal government to prevent this, and to secure spaces of open land which may be kept free from buildings and used for public purposes. The object of these is not only to serve as "lungs", that is, as reservoirs of fresh air, which may ventilate streets and alleys, which would otherwise be unhealthy, but as playgrounds for the spending of leisure time in healthy amusements.

The growth of athletic exercises in all classes of the community is a characteristic of our age—cricket, football, and other games, which used to be the privilege only of the rich, have now spread to all. Football especially, which is not expensive, and which affords a great deal of exercise in a short time, is now a national sport and excites the interest of thousands. The influences of these games, as well as of cycling and volunteering, cannot be exaggerated, not only on the health of the people, but on their physical development. There can be no doubt that the great mass of Englishmen are better grown and developed than they were thirty years ago, and it is likely that even greater improvements will take place in this direction. The custom of granting Saturday half-holidays and other occasional cessations from labour has contributed largely to this result.

The value of
open-air
recreation.

But there is another aspect of the question to be considered.

ings held within its walls, and for the orators who have filled it, but there is a large pile of municipal offices. These contain a vast assembly-room, a picture-gallery, a library, and offices for the business of the gas and water supply, which are under the control of the corporation.

It is therefore perfectly right that powers should be given to County Councils to acquire, purchase, or take on lease any land, or right over land, either within or outside the county; and to acquire, hire, erect, and furnish such halls, buildings, and offices as they may from time to time require either in the county or outside of it. They may not only use the funds at their disposal for these purposes, but they may borrow money for the same object.

Another purpose for which public money may be properly employed is in the securing to citizens the opportunity of acquiring land of their own in the way of allotments and small holdings. ^{Allotments and small holdings.} The influx of countrymen into the towns has depopulated the country. The change in the conditions of working the soil so as to obtain from it the largest possible returns, has made it desirable that land should be held not only in large farms, but in small parcels, which may receive individual attention. It seems likely for some time to come that the most profitable manner of cultivation will be in the yield of dairy produce, of poultry and eggs, of fruit and vegetables, of live stock of different kinds, rather than of corn and other kinds of grain. For this purpose it is necessary to allure the people back upon the land. Our towns contain a large idle population on the verge of destitution, while in England there are many large stretches of land very imperfectly tilled. Every good citizen must wish to bring these two things together, the arms which labour, and the soil which cries for labour.

Besides this, it is generally acknowledged that nothing is so conducive to freedom and independence, and even to political stability, as the existence of a large class of persons who till the soil which belongs to them. The position of an agricultural labourer is often a sad

**Moral effects
of land sys-
tem.**

one; after many years of hard labour he is no better off than he was when he began, and has only the workhouse to look forward to. The possession of some land of his own, which is common in other countries and was once the case in England, would go far to remedy these evils.

At the same time these results cannot be brought about without some help from the community at the outset. Hence arises the policy adopted by all parties in the country of securing allotments and small holdings to those who are able to work them.

Although there is no sharp line dividing these two things, we may consider allotments to be parcels of land of such a size that they may be worked by the owner and his family in conjunction with other occupations; for instance, by a labourer after his day's work for his master is done, or by an artisan or a small shopkeeper in the intervals of other business. A small holding will be a larger parcel, the care of which will take up the whole or the greater part of the owner's time, and from which he may feed himself and his family.

It is found that if opportunity is given to all to acquire land in this way, it may be seen how far a man is capable of taking care of a small or a larger plot, and a man may rise to the possession of more and more land, just as in trade he may rise by the acquisition of a larger capital. The land for these purposes may be either leased or bought, but it must first be in the market, and some owners of land are for certain reasons not willing to deal with their property in this way. It is therefore right that public bodies should have the power of acquiring land in the neighbourhood of towns and villages which may be let for these purposes, and that they should also be able to advance money for the purchase of such holdings on the security of the land, to be paid by the occupier in instalments. If a cheap and easy machinery were set up for effecting this object, the face of England would very soon be altered, and her condition would be improved, at least so far as agriculture is concerned.

CHAPTER IX.

POLICE AND JUSTICE.

QUESTIONS concerning police and justice as they affect the community will be treated of at greater length in a future chapter. But some aspects of them ought to be mentioned in this place. The policeman is familiar to all of us. He takes the place of the old parish constable, and of the still older parish watchman. Although he is under a kind of military discipline, and tends more and more to be subject to a central rather than a local and popular control, yet he is generally a popular person, and is regarded quite as much as a helper of those who are in difficulties as a punisher of those who do wrong. The phrase, "Ask a policeman" has become almost proverbial, and the stranger and the forlorn, either in town or country, will naturally seek help from that well-known form, whose helmet, blue coat, and silver buttons distinguish him from the rest of the population.

The primary duty of the policeman is to put down disturbance and to bring criminals and other offenders to justice, by arresting them and carrying them before a magistrate. But he also has many duties connected with the prevention of crime. In the first place he has to watch over certain convicted prisoners. If a man has been convicted a second time of felony, or of some of the worst misdemeanours, the two classes into which most crimes fall, he can be sentenced by the judge to be under police supervision for seven years after he comes out of prison. During that period he is obliged to inform the chief police officer of the district in which he lives of every change in his abode, and also to report himself every month. A convict who has been set free on a "ticket of leave" that is, a written permission to leave prison before his time on account of good behaviour, is subject to the same penalty, and is severely punished if he neglect to conform to it. Also, the police have the power of granting certain licenses,

for instance to chimney-sweepers and pedlars. It is unlawful to follow the calling of a pedlar without a license, and this is obtained from the chief police officer, who grants it if he is certain that the applicant is of good character.

It is also the duty of the police officer to search for stolen goods, but he can only do this if a warrant has been granted by a magistrate. He generally searches the shops of pawn-brokers and old-metal dealers. In some cases the authority of the chief police officer of the district serves instead of a warrant. Also, a constable has the power of entering public-houses to ascertain if the Licensing Acts are properly observed. And, curiously enough, he has a similar power over steam threshing-machines.

His duties as the manager of traffic are chiefly observable in London and the large cities of the provinces, and it is painful to think what danger and interruptions would occur if this power were not given to the force. Even where he has not the power of arrest, he can make any one "move on" in a public thoroughfare, and this power prevents many disturbances. He is armed with a truncheon, which may inflict a serious blow, but not with fire-arms, which, if sometimes desirable for his own protection, would be liable to misuse, and would be certain to expose him to unpopularity. He is also frequently employed as government inspector to carry out the provisions of certain acts of parliament. He may inspect weights and measures, foods and drugs, explosives and the contagious diseases of animals. He is also very useful in inspecting common lodging-houses and in the relief of tramps.

The proper title of the county magistrate is Justice of the Peace, which implies that his duty is to preserve what is called the king's peace, that is, the absence of private war, tumult, and broils, which it was the first duty of a king to secure, as well as safety in travelling, and the absence of robbers on the roads. As a definite institution ^{The County Magistrate: J.P.} justices of the peace date from the year 1360. From their first beginning they gradually took the place of the sheriff, and obtained the control of the constabulary.

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The County Magistrate: J.P.

But under the reigns of the Tudor and Stuart kings their numbers constantly increased, and many various kinds of business were imposed upon them by parliament. They gradually became rulers of the county, acting under the supervision of the King's Council and the King's Bench ; their business was not only to judge but to govern, and the execution of many statutes for the regulation of social economy was placed in their hands. The practice gradually arose of committing to them all the business of the shire.

The power of justices of the peace has been very much narrowed by the institution of county councils, and is destined probably to be confined within still narrower limits. ^{his power now limited.} They are appointed technically by the King, but really by the Lord Chancellor, who generally acts on the recommendation of the Lord Lieutenant.

Their meetings are of two kinds, Quarter Sessions and Petty Sessions, the duties of which will be described more fully in a subsequent chapter. The Quarter Sessions, as ^{Quarter Sessions.} their name implies, are held four times a year at dates determined by statute. Two justices are enough to constitute the court, but generally a number of justices from all parts of the shire attend, and the meeting is a law-court for the whole county. It used also to be an assembly for the general government of the county, but its power in this respect has gradually been given to other bodies, especially to the County Council, as has been before said.

The meeting of two or more justices for certain purposes is called Petty Sessions. They are concerned not with the whole county, but merely with the division in which their service takes place. They meet at times determined by convenience ; in some places every day, in others once a fortnight. A single justice can only impose a fortnight's imprisonment or a twenty-shilling fine ; a punishment beyond this can only be inflicted by Petty Sessions.

Besides this, the justices may make orders for cutting down a tree which overhangs the highway, for the destruction of meat unfit for food, the burning of indecent books, the killing

of dangerous dogs, the removal of a corpse to a mortuary, or of a pauper to his place of settlement, for closing a polluted source of water-supply. The justices formerly had large powers of licensing, especially of houses for the sale of drink, but these matters are now the subject of legislation and are attended by much dispute. It will, therefore, be better to defer any account of them until a time when they shall have been settled upon some permanent basis.

CHAPTER X.

CENTRAL GOVERNMENT.—THE CROWN.

WE all know that not only the United Kingdom of Great Britain and Ireland but the whole of the British empire and the dependencies belonging to it are governed by ^{The crown.} the King. Indeed, subjection to the crown of England is the only link which holds together this motley crew of subjects of all races and languages scattered over every part of the world. At the same time, it is extremely difficult to determine what is the actual amount of power which the sovereign possesses in exercising the government, or, in other words, what are the extent and limits of what is called the royal prerogative.

Theoretically, this prerogative runs through all branches of the constitution. The sovereign can do no wrong, he never dies, he is the ultimate possessor of all the land of ^{The royal} England. His power is legislative, executive, and ^{prerogative.} judicial. He is the beginning and the end of parliament, which he summons, prorogues, and dissolves. Every act of parliament must receive his assent. The ministers are his servants acting in his name; he appoints them and dismisses them. The judges derive their authority from him, and are his representatives. He possesses the power of pardon. He is head of the church, and appoints bishops and deans. He is

the fountain of honour, and can create as many peers as he pleases.

His powers, thus extensive in theory, are much limited in practice; they are confined not only by law but by common ^{Limitation of} usage, and it is difficult to determine what is the prerogative. precise power of the crown at any given time. Indeed, it is impossible, because some of the powers of the crown which are generally regarded as out of use might be revived by an energetic monarch, while others which have been exercised recently might be suffered to die out.

Two hundred and fifty years ago a great quarrel took place between the king and the parliament, which led to a civil war. Both sides exaggerated their claims, and appealed for support to ancient law and precedent. As, in the history of England, kings had been sometimes strong and sometimes weak, and parliament had been sometimes independent and sometimes subservient, it was easy to do this. No one, however, now has any doubt that, although the king unduly extended the customary limits of the royal power, yet the parliament, while appealing to the witness of ancient custom, was really claiming an authority which it had not before possessed.

The royal prerogative may be defined as the power of doing everything which the monarch or his servants can do without

^{Sources of} royal prerogative: the authority of an act of parliament. This prerogative has three main sources. There was a time

(1) ^{Tribal} chiefdom. when the king of England was simply like the chief of a tribe. He led his people in war, transacted their affairs in peace, and acted as judge in the most important cases. Traces of this power still remain, and this is the first source of the royal prerogative.

At a later period the king was the head of what is called the feudal system. Under this he was regarded as the ultimate

(2) ^{Feudal} system. possessor of the soil. He gave estates out of it to various persons, who swore to be subject to him, and who were in return obliged to serve him in war. From this source the sovereign possesses the right of property of

which there is no certain owner, to treasure trove, and to the custody of idiots and lunatics.

The third source is derived from the theories invented by lawyers, who were accustomed to say that the king never dies, and that he can do no wrong. It was found convenient in law to assume that the king never dies, and that the throne is never vacant; also, in order to secure the responsibility of ministers, to create the fiction that the king can not only do no wrong, but not even think wrong, that he can never mean to do an improper thing, that in him is no folly or weakness. It is a curious result of this theory that, if one of the king's ships runs down a merchantman, the owner has no remedy against the crown.

Three questions which are naturally asked in determining the limit of the royal prerogative are: —(1) Is the king free to appoint and to retain such ministers as he chooses? (2) What is the influence of the king in the settlement of general policy? (3) How may the king act in matters of administration?

Three questions on the prerogative:
(1) The king and his ministers.

With regard to the first, theory and practice are divergent. The sovereign has in theory the power of appointing and dismissing ministers at his pleasure, but in practice he always chooses those belonging to the party which has a majority in the House of Commons, and retains them only so long as that majority continues to exist. Undoubtedly the personal wishes of the sovereign have determined the inclusion in, or the exclusion from the cabinet of a particular individual, and will probably do so again. Also, a little more than a hundred years ago George III. made William Pitt prime minister although the majority of the House of Commons were opposed to him. This example would perhaps be imitated if parliament were split up into a number of factions, none of which would give a minister a firm majority. But the sovereign would not act in this way unless he were sure of the ultimate support of popular opinion, or unless he were ready to run the risk of a revolution.

With regard to the second question, the general policy of

the government is settled by what is called the Cabinet, which consists of the principal ministers who form the general policy. ^{2) The king's influence on} Formerly the sovereign was present at all the sittings of this body, but after the death of Queen Anne, as George I. was imperfectly acquainted with the English language, he gave up the practice of attending, and thus introduced an important change into the English constitution. All decisions of the Cabinet are communicated to the sovereign, and he may refuse to assent to them; in this case the ministers may resign if they please. The sovereign has a right to be informed of all important communications with foreign powers, but on the other hand the sovereign communicates to the prime minister all letters which he receives from foreign princes. The foreign secretary is always present at interviews between the sovereign and a foreign minister.

On the other hand, the sovereign is in constant communication with the ministers, and the business initiated by the sovereign is always the first matter discussed at a Cabinet Council. The existing practice tends to free the sovereign from responsibility, but still leaves him scope for considerable influence on public affairs by advice and counsel.

In respect of the third question, we find that, although the crown does every important act of executive government, yet ^{(3) The king's executive powers.} in practice every such act must be done in conjunction with a minister, who is responsible for the act done and for the consequences of it. It is laid down by act of parliament that acts of this kind must be done in a particular way in order to secure that the minister shall be really responsible.

Although our constitution has received such a form that the sovereign no longer possesses, as he used to possess, the power of acting on his own judgment, we must not suppose that the influence of the sovereign is of no account in public affairs. A king of England has been carefully trained for his duties, he has had opportunities from his earliest years of obtaining the best information about

The sove.
reign's influ-
ence.

public affairs, of discussing them with the persons most able to give information about them, and, from being outside and above party politics, of regarding them with an impartial spirit, which is impossible to those whose lives have been spent in party conflict. Thus the opinion of the sovereign, which is always asked in important matters, may, and does, in the course of a long reign, become a thing of great weight and value. Ministers of various parties come and go, and each in his turn must explain his policy to the wearer of the crown in order that it may be carried out. The wide experience which the sovereign thus gains must have great influence in forming the judgment of any sensible minister.

The title to the crown of the United Kingdom is vested by statute in the heirs of Sophia, electress of Hanover, who was the granddaughter of King James the First, but by the Act of Settlement passed in 1700 all Roman Catholics, or anyone marrying a Roman Catholic, is excluded from the inheritance. When a vacancy in the crown occurs, the new sovereign is first proclaimed, not by the privy-council, but by the lords spiritual and temporal, and others representing the Common Council of the early English kings. At the coronation, which usually takes place some time afterwards, the sovereign is first presented by the Archbishop of Canterbury to the people as the undoubted king or queen of the nation, and the assent of the people is shown by acclamation.

The succession in England.

The sovereign then takes an oath to govern according to law, to execute law and justice in mercy, and to maintain the Protestant religion and the Established Church. The sovereign is then anointed, to show the sacred character of royalty, and to give the sanction of the church to the choice of the people. The peers, spiritual and temporal, then do homage, by which they recognize the sovereign as their feudal lord. The counterpart to the coronation oath is the oath of allegiance taken by the great officers of state, by which they swear to be faithful and to bear true allegiance to the sovereign, to his heirs and successors by law

The sovereign's duty to parliament. One of the most important parts of the duties of the crown is in connection with parliament. Parliament consists of the King and the three estates of the realm, which are the Lords Spiritual, that is, the bishops, the Lords Temporal, and the Commons. The king is therefore not only a member, but a most important member of parliament. His throne is placed in the House of Lords, but he does not occupy it except when he opens or closes parliament in person. It is, in fact, the crown which constitutes parliament, the Houses meet by royal invitation, they assemble in the royal palace of Westminster, they are opened by the royal permission, they continue in existence and working during the royal pleasure.

The business of parliament is opened by a speech from the throne, either delivered by the sovereign in person or by commissioners who represent him. The houses adjourn of their own free-will, but they are prorogued and dissolved by the sovereign, although in the latter case it is now the practice for them to act on the advice of the responsible ministers. Although the sovereign has a right to be present on his throne during debates in the House of Lords, he may not take part in them, but can, except at the beginning or close of a session, only communicate with parliament by a message. Charles II. was frequently present at the debates at the House of Lords, but did not take part in them; the presence of Charles I. in the House of Commons on a memorable occasion was one of the causes of the Civil War. So carefully is the sovereign guarded from collision with the houses of parliament that it is not permissible to introduce the sovereign's name into debates without the leave of the house.

At the same time the measures introduced by the ministers are presumed to have the approval of the crown. Although the sovereign can only formally propose the making of a law

The royal assent or rejection. by a royal speech or by message, no bill can become an act of parliament until it has received the royal assent. Great pains are taken that this assent shall not be in any respect formal, but shall express

the deliberate opinions of the sovereign after due consideration. If the assent is withheld by the formal words *le roi s'avisera*, "the king will consider of it", the bill does not become law; but it would be a mistake to regard this as a *veto*, comparable to the veto which is largely used by the President of the United States with regard to legislation. The American President is outside the legislature, the king is an integral part of it. Legislation in England can only take place by the concurrence of all three parts of the legislature, King, Lords, and Commons. Refusal of assent, therefore, is not so much a *veto* as a refusal to concur with the other two branches of the legislature in passing a measure. The royal rejection thus stands theoretically on precisely the same footing as the rejection of a bill by the House of Lords or the House of Commons.

At the same time this power has not been used since Queen Anne refused her consent to the Scotch Militia Bill in 1707. The reason of this is that the sovereign can only perform important acts with the advice of his responsible ministers, and a case is hardly conceivable in which they would advise him to reject a measure which they have themselves introduced.

At the same time cases are known, and there are perhaps others which are not known, in which the sovereign has defeated a bill without the formal refusal of consent. It would be quite constitutional for the king to ^{The ultimate appeal.} inform his ministers that he cannot accept a particular measure which they have proposed to him. If they insist, he can dismiss them and appoint others in the hope that they will be supported by parliament. In this way he makes an appeal from the ministers to parliament. If parliament refuses to support the new ministers, the king may dissolve parliament and appeal to the country, as George III. dissolved parliament in 1784 and William IV. in 1834. This is, however, the last appeal possible. If the nation declines to support the crown in the struggle, nothing is left but submission, abdication, or civil war.

Appointments to important offices, such as bishoprics and Patronage of judgeships, are made by the crown, but naturally the crown. according to the advice of responsible ministers. The influence which the sovereign exercises in these matters varies with the circumstances of each individual case.

CHAPTER XL

PARLIAMENT—THE HOUSE OF LORDS.

MOST of those who read this book will have had some practical experience of a parliamentary election. They know something of the excitement which attends it, they ^{The House of} Lords: will have read the placards on the walls, they will probably have attended meetings, and heard the candidates speak, they may perhaps have voted themselves. They will have known that by these operations men will have been choosing a member to represent them in the House of Commons.

But Parliament does not consist of the House of Commons alone. Besides the king, of whom we have already spoken, its constitu. there is the House of Lords, a most important body tion; which is not subject to the popular choice. The House of Lords consists of five different classes of people. By far the largest number are the hereditary peers of the United Kingdom. Then follow hereditary peers who are not hereditary lords of Parliament, namely the sixteen representative peers of Scotland who are elected for each parliament by their fellow Scottish peers, and the twenty-eight representative peers of Ireland who are elected for life. There are also peers who are peers of Parliament during their lives, but who transmit no right to their descendants. These are the twenty-six spiritual peers or bishops, and the Lords of Appeal. The bishops, however, lose their seat in Parliament if they resign their bishoprics. Let us see how the House of Lords came into existence.

In Anglo-Saxon times, before the Norman Conquest, the king

was assisted in his councils by the advice of the *witan*, or wise men, who had a greater or less share of power according as the sovereign was weak or strong. This assembly commonly comprised earls and bishops, as the temporal office of the one and the spiritual office of the other gave them the right to be present at the great council of the realm. After the Conquest both the earls and bishops became the vassals of the king and stood in a subordinate relation to him according to the principle of feudalism. The attendance at the king's council, which before was a right, now became a duty, and this duty was not likely to be performed unless the person on whom it fell was called upon to perform it. The king summoned his barons to sit in council with him: gradually those who had been summoned once obtained the right of being summoned on all subsequent occasions, and also that a similar summons should be delivered to their heirs. In this way the hereditary peerage grew up, which formed a body of permanent advisers to the crown. The right of the sovereign to summon peers to parliament, that is, in the ordinary language, to make peers, is and always has been practically unlimited.

Peers are of different degrees, and it frequently happens that the same man holds several peerages. The highest is the title of Duke, which first came into existence when Edward III. created his son the Black Prince Duke of Cornwall. Marquis, which is a French form of the title Margrave or Count of the marches or boundaries, was first created by Richard II. Earls, who are next in order, date from Saxon times, and viscounts were first made by Henry VI. The lowest rank of the peerage, that of baron, dates from the Norman Conquest.

The chairman or speaker of the House of Lords is the Lord-chancellor, or Lord-keeper of the Great Seal. He sits on a large settee or divan called the woolsack, which is technically outside the limits of the house, so that the office may be held by a commoner.

It is scarcely necessary to point out that all sons of peers

are merely commoners, although they may by courtesy be called by one of their father's titles; also, that the peerage is perpetually being recruited from all classes of the commons. Therefore the peerage of England has never become an exclusive order or caste, as is the case in some foreign countries, but is continually taking into itself members from the mass of the people, and sending its own members back into that mass.

Bills may be introduced either in the House of Lords or the House of Commons. The procedure is nearly the same in both

houses; but as most bills are introduced in the Commons, it will be convenient to take that as our example. There must first be a notice of motion

from some member that he intends to introduce a bill. When the time for making the motion comes on the member asks leave to introduce the bill. This is generally a mere form, but sometimes opportunity is taken to explain the nature of the bill. An order of the House is then made that the bill be prepared and brought in by the mover and the members named by him. The member appears at the bar, and the Speaker calls upon him by name. The member addressed cries out "A bill, sir", and is desired by the Speaker to bring it up. He carries it to the table and delivers it to the clerk of the House, by whom its title is read aloud. The question is then put without amendment or debate, that the bill be printed and be read a first time, and a day is fixed for the second reading.

At the second reading the principle of the bill is discussed, and its fate generally decided. A bill may be opposed either with a direct negative or by a motion to read it that day six months, which shelves it for the session; or by amendments which alter its character. If the bill passes the second reading it comes before a committee of the whole house. This means that the whole body of members discuss the bill in a more free and informal way than usual. In these committees the Speaker does not occupy the chair, but the chairman of committees presides.

In committee the bill is discussed in detail, clause by clause,

and each member may speak to every question as often as he pleases. At the conclusion of each sitting of the House in committee on the bill, the Speaker resumes the chair, the chairman reports what progress has been made with the bill and asks for leave to sit again. The day for doing so is fixed by the House. The committee stage of bill is followed by the report stage, when the Speaker is in the chair. Amendments may be made and new clauses added. Indeed, if necessary, the bill may be recommitted and again reported. Then follows the third reading, after which the clerk is ordered to carry the bill to the Lords and to desire their concurrence.

When a bill has been thus sent to the House of Lords, it is read a first time as soon as it arrives there. It is then placed upon the table, and if twelve days pass while the House is sitting, and no one proposes to read the bill a second time, it is dropped for the session.

Procedure in
the House of
Lords.

If the bill is taken up by a member of the House, it follows the procedure which has just been described with regard to the Commons. If the bill passes without amendment, a message is sent to the Commons to say that the Lords agree to it. If amendments are made, the Commons may perhaps agree to them. If they do not, there is a dispute between the two houses, which is difficult to decide. Formerly conferences used to be held by representatives of the Houses. In these the Lords used to sit, the Commons to stand bareheaded, the Lords only taking off their hats as they approached or left their seats. The manner now in use is to draw up reasons for disagreement. This is done by one side or the other until a compromise is arrived at.

The power of the Lords in legislation is precisely equal to that of the Commons, and they therefore have the right of rejecting any bill they please. But in doing this they practically pay some regard to public opinion, and will be slow to act in decided opposition to the voice of the country. This would be expressed most emphatically after the dissolution of Parliament made for that purpose; but it is no part of the constitution that the peers

Relations
between
Lords and
Commons.

can compel a dissolution. On the other hand, the party that is in the majority in the House of Commons can overcome the resistance of the Lords by creating a sufficient number of peers to alter the balance of power. This step was actually taken in 1712, and threatened in 1832. Both these cases are violent in their nature, and political wisdom may perhaps discover some simpler and more effective way of ascertaining the opinions of the nation.

The House of Lords has also a judicial character when it sits as a final court of appeal. It is provided that in these cases there must be at least three peers present before them. Practically the matter is decided by a small committee of lords who have been judges. The power which is now established by Act of Parliament is a survival of the judicial power which formerly belonged to the person of the sovereign. If any one who has gone to law is dissatisfied with the decision of the ordinary law-courts, he can appeal from a lower court to a higher one, and finally can make appeal to the House of Lords.

CHAPTER XII.

THE HOUSE OF COMMONS.

THE House of Commons is by far the most important part of Parliament; indeed, in speaking of Parliament many people think only of the House of Commons, and disregard the other two branches of the legislature. We will first consider who may be chosen as members of the lower house, then who have the right of voting for them, then the manner of election, and lastly what are the special privileges possessed by the House of Commons collectively or by its members individually.

Infants or persons under full age have always been disqualified from sitting in Parliament, but this restriction was not

enacted by law until the reign of William III., about two hundred years ago. Even after this the law was sometimes broken; for instance, Charles James Fox, the great orator, the rival of William Pitt, took his seat and spoke while he was still under age, and Lord John Russell, the proposer of the Reform Bill of 1832, was elected about a month before he reached the age of twenty-one. Since the passing of that Reform Bill the law has been strictly kept. Lunatics also and idiots are disqualified from being chosen. If any member is under confinement as a lunatic his constituency may ask that the seat may be declared vacant and a new member chosen; also, if any person of unsound mind takes part in the business of the House the question may be raised as affecting the privilege of Parliament. Aliens, also, that is, persons of foreign nationality, may not sit in the House unless they have become British subjects by being naturalized according to the forms of English law.

No English or Scotch peer may be elected as a member of the House of Commons, but an Irish peer may be elected provided that he is not one of the twenty-eight Irish peers chosen to sit in the House of Lords. Lord Palmerston, who played such an important part in English politics, was an Irish peer. Clergymen of the English Church and ministers of the Scotch Church are not permitted to sit in the House of Commons, no more are Roman Catholic priests. The question of the admission of the clergy was in doubt up to the beginning of last century, when the Rev. J. Horne Tooke was chosen for the borough of Old Sarum. Mr. Horne Tooke was allowed to retain his seat, but it was provided by a resolution of the House that no clergyman could do so in the future. By a comparatively recent law clergymen are allowed to give up their position as such and become private individuals, and therefore able to sit in the House.

The holding of certain offices is also a disqualification according to the common law of England. No returning officer can sit for the place for which he exercises his duties. Judges also cannot sit in the Lower House, as by

Qualifications for membership.

Peers and clergymen not eligible.

their office they are summoned to attend and to give advice in the Upper House. The holders of certain offices have been specially disqualified by various acts of parliament. For instance, a paid Charity Commissioner or a member of the Council of India is disqualified in this manner, and if four under secretaries of state were already in the House a fifth would not be able to sit there.

There are some offices which do not prevent the holder from sitting in Parliament, although the acceptance of the office

^{Crown} _{offices.} compels him as a form to resign his seat, and to seek re-election. Other offices, although very similar to these, are not regarded as being held directly under the crown, and therefore do not compel re-election. The object of these re-elections has been to check and restrain the influence of the crown in Parliament, as during certain parts of our history it has been thought that a person holding a place of profit under the crown would be more likely to support the personal wishes of the sovereign than the interests of his constituents. This danger has now so entirely ceased, without the likelihood of its being revived, that the time has come when all these matters might profitably be reconsidered.

A certain number of pensioners of the crown are disqualified from sitting in the House, but this does not apply to diplomatic ^{Other incli-} _{gible persons.} or civil service pensions. Persons also who hold or undertake any contracts or commissions for the public service are incapable of being elected. If they should be elected the election is void, and they are liable to a penalty of £500 for every day that they sit or vote whilst subject to this disability.

Disqualification extends also to convicted felons. No one found guilty of treason or felony may be elected unless he has received a pardon or served his term of punishment. Anyone convicted of a less offence than this is not actually disqualified, but may of course be expelled by vote of the House. Bankrupts are not disqualified from being elected, but whilst they are bankrupt they may not sit or vote. If a bankrupt remains in this condition for over six months his seat is declared vacant.

Finally, anyone found guilty of corrupt practices, such as bribery at a Parliamentary election, may never again sit for the place at which the offence was committed, nor for seven years for any other place. If an agent has been found similarly guilty the disqualification of the principal only lasts for seven years.

Until recent years there were many other disqualifications in existence which have been gradually abolished. A member of parliament used to take certain oaths before he sat as a voter. These oaths, from the form in which they were drawn up, excluded Roman Catholics and Jews; while certain persons objected to taking any oath at all, and yet were not permitted by law to dispense with it. These provisions have now been altered, and any one who objects to taking an oath is allowed to make an affirmation, that is to say, that he affirms certain opinions instead of swearing that he holds them.

Members of parliament were at one time required to reside in their constituencies, but this rule has long ceased to be in force. Also, no one could sit for a county who did not possess an estate of £600 a year, or for a borough one of £300 a year, but this restriction was removed about forty-five years ago. In the fourteenth century it was provided that no barrister could be a county member. Although the act ordering this had been constantly violated, it was not repealed until five hundred years after it came into existence.

The fact that the holders of certain offices of profit are unable to be members of parliament is of great practical convenience, because it enables a member to vacate his seat. Every member once elected must retain his seat until his death or until parliament is dissolved. He cannot resign, and the house does not declare a seat vacant merely because a member wishes to give it up. The only course open to a member who wishes to resign is to accept the stewardship of a royal manor of nominal value. The manor generally used for this purpose is that of the Chiltern Hundreds, a royal domain situated in the county of Berkshire.

So that to accept the Chiltern Hundreds has become a usual expression for giving up a seat in parliament. This practice, now so common, is only a hundred and fifty years old. It is of course understood that the man who receives this office resigns it at once in order that it may be vacant for another applicant.

We now have to consider who have the right to vote for members of parliament, in other words who possess the electoral franchise. In former times the right to vote for a county was very different from the right to vote for a borough. Now they are very nearly the same. The right of a man to vote depends upon three grounds—property, occupation, and residence; that is, under various conditions he has a vote in respect of a tenement which he either owns or uses, or which is his dwelling.

In the reign of Henry VI. the county franchise was limited to those who possessed a freehold worth forty shillings a year, and this continued unaltered for four hundred years, until the great Reform Act of 1832. It will be seen, therefore, that the county franchise was simple and uniform, the borough franchise complicated and various, consequently the boroughs were corrupt, and were very often the property of individuals, when the counties gave a genuine expression of political opinion.

Each borough was originally free to choose its own method of election, so that we find great differences of customs in this respect. Perhaps the most ancient qualification in boroughs. was the holding of land in the township, another was residence in the borough, and the payment of "scot and lot," that is, local or national rates and taxes. Freemen of chartered towns also had the right to vote, as also the holders of a corporate office.

Each of these qualifications differed in different places. Residence sometimes included all the inhabitants, sometimes all those who had a parochial settlement and were self-supporting, called the "potwallers", who boiled their own pot. In some towns the corporation might create as many freemen

as it pleased, and therefore increase the votes at their pleasure. The Reform Act of 1832 swept all these different customs away with the exception of the forty shilling freehold qualification in houses, that is, the right to vote of all those who had a freehold house with £2 a year, and the rights of freemen in chartered towns. It made the franchise depend on the occupation of houses or land to the yearly value of £10.

By the Reform Act of 1884 the franchise has been extended and simplified. Any man now has a vote who has a freehold of forty shillings clear yearly value, or copyhold or leasehold of five pounds clear yearly value. All male occupiers of lands or tenements of the value of ten pounds have votes, provided they are entered in the rate-book. Also anyone who resides in a dwelling-house, or any part of a house occupied as a separate dwelling, which has been rated, and for which rates have been paid, has a vote. Also every lodger or occupier of lodgings of the clear annual value of ten pounds a year has a vote.

Although the right to vote is given to all those possessing the above-mentioned qualifications, certain of them are excluded from it for other reasons. Women, for instance, are incapable of voting according to the common law of England, also infants, or men under twenty-one years of age. Peers also have no right to vote, excepting Irish peers who are actually serving as members of the House of Commons. The reason of this is plain, because parliament is a parliament of estates, containing, as has been said above, the three estates of the realm, the Lords Spiritual, Lords Temporal, and the Commons. Peers are already represented in their own house, but an Irish peer who has been elected to parliament may be considered to have left his own estate and to have joined that of the commons. Returning officers cannot vote, but may give a casting-vote in the case of an equal return, nor is anyone who is employed for the purposes of an election allowed to vote. Aliens, idiots, lunatics, and convicts cannot vote for members of parliament.

Limitations
of the fran-
chise.

any more than they can be elected, and no one can be placed on the register who has been for a year in receipt of parish relief.

Anyone may vote in respect of any of these qualifications in any borough or county in which he happens to possess them, therefore as elections are not held on the same day it is not difficult for one man to give a number of different votes in different places.

In order that a man may be able to vote his name must appear on the register. The duty of making a list of owners ^{Plural vot-} and occupiers who have a right to vote falls on the overseer of the poor, but lodgers are not included in the list unless they have sent in their claims, and this must be repeated every year. The list thus prepared is subject to alteration, and disputed claims to the franchise are tried before the revising barrister, who sits in the month of September. There is an appeal from his decision to the Court of King's Bench. There is at present considerable delay in obtaining the qualification to vote, but it is probable that this will be altered, and the operation made more speedy.

Until about thirty years ago candidates for parliament were nominated on what was called the hustings, a platform erected in an open space of a town. Each of them ^{Mode of election.} had a proposer and seconder, and speeches were made to what was generally a tumultuous crowd. A show of hands was called for, and the candidate who was in the minority had the right to demand a poll. On the day fixed for polling the voters gave in their votes by word of mouth. This method of public election, although there is a great deal to be said in its favour, was found to make it easy to bribe voters, and to frighten men into voting in opposition to their opinions, and therefore the election was made secret.

No one can now possibly tell which way an elector has voted. The nominations are made in writing, each candidate being proposed and seconded by an elector. The names of eight other electors must also be signed on the paper. If no more persons are nominated than there are vacancies, the

persons nominated are declared elected, but if this is not the case a day for polling is fixed.

The number and situation of the polling places are fixed by the proper local authorities, as has been before explained, and the polling lasts from eight in the morning till eight in the evening. Each voter must give his vote at the polling place assigned to his district. On entering the room a paper is delivered to him containing the names of the candidates. He goes into a secret compartment and puts a mark, generally a cross (X), opposite the names of those for whom he desires to vote. He folds the paper so that the mark cannot be seen, and the presiding officer places it in a box. When the poll is over, the boxes are sent to the returning officers. At the appointed time the boxes are emptied and the votes counted in the presence of the candidate or his chosen representatives, and the result is declared.

We have thus seen who may be elected members of parliament, who may vote for them, and in what manner the voting is carried on. We have also learnt in connection with the House of Lords how an act of parliament is passed. We have now to consider what are the special privileges and powers of the House of Commons. In the first place we have to deal with the office of Speaker, whose election is one of the first acts of a new parliament.

The Speaker acts in two capacities. In the first place he is the spokesman and representative of the House. He demands its privileges, communicates its resolutions, utters its thanks, imposes its censures, conveys its warnings. He is the executive officer for the commitment of offenders against the privilege of parliament, for the issuing of writs to fill vacancies amongst its members, or for the summoning of witnesses or prisoners to the bar at the entrance to the House.

Internally, as chairman of the House of Commons, he maintains order in the debates, and decides questions of order which are brought before him. When the Speaker is in the chair the mace is laid before him as the symbol of authority, and is

borne before him by the Sergeant-at-arms. But when the House is in committee, as has been before explained, the chair is taken by the chairman of the committee of ways and means, who acts as chairman of all other committees of the whole House, and the mace is then placed under the table.

Besides the Speaker there is a Clerk of the House of Commons, with two assistants under him. His main duty is to ^{The Clerks.} prepare the journals of the House, a printed official record of daily proceedings. He is appointed by the crown, by letters patent, or an open document, under the Great Seal. There is also the Sergeant-at-arms, ^{The Sergeant-at-arms.} who is similarly appointed. His duty is to keep order in the precincts of the House, and generally to execute the commands of the Speaker.

At the beginning of each parliament the Speaker, on behalf of the House of Commons, asks from the crown "the ancient and undoubted rights and privileges" of the members of that House. These are "that their persons and servants may be free from arrest and molestation; that they may enjoy liberty of speech in all their debates; may have access to his majesty's royal presence whenever occasion shall require; and that all their proceedings may receive from his majesty the most favourable construction".

Of these the right of access is only enjoyed collectively, and is different from the individual rights preserved by every peer. The freedom from arrest extends to the persons and servants of members during the session, and for forty days before its commencement and after its conclusion. This privilege was intended to secure the safe arrival and regular attendance of members at their parliamentary duties. It does not protect members from the consequence of treason, felony, or breach of the peace. It cannot be claimed for any indictable offence, that is, an offence for which an indictment may be presented, nor does it protect anyone from being committed to prison for contempt of court. The privilege, such as it is, does not now extend to servants.

Freedom of speech and action in parliament is undoubtedly

unquestioned and free; but the privilege applies only to influence and interference from the outside, and does not mean to imply that any member may do or say what he likes within the House. The House has ample power of controlling the acts and words of its own members. It may commit them to the custody of the Sergeant-at-arms, and it may expel them altogether. These remedies are put into force in case of abuse of the power of debate, of irregular or disrespectful use of the king's name, or of the use of language which is offensive or insulting to parliament in general, or to either House in particular, or to any individual member. The House has also a right, under certain conditions, to exclude strangers and reporters, and to prohibit the publication of its debates.

There are certain other privileges preserved by the House which are not included amongst those demanded by the Speaker. The House has the right to provide for its own proper constitution. It does this by issuing writs to fill up vacancies in its body, and by preventing disqualified persons from sitting in parliament. It had also for a long time the power of deciding upon disputed elections. Since 1868 these have been tried by the courts of law. The House has also the right of expelling any member it pleases, but the constituency for which he sits may not accept their decision, but may re-elect him.

When a member has been convicted of a misdemeanour, the judge who presided at the trial informs the Speaker, and the Speaker brings the matter before the House. The House is supposed to have the power of regulating its own proceedings within its own walls, but an ordinary crime committed by a member within the walls of the House would be subject to the ordinary course of criminal justice.

Besides the authority which the House possesses over its own members it may also summon before it any persons who, by similarly misconducting themselves, have violated the privilege of parliament. When they are thus summoned, they may be warned or rebuked, or, in the case of a grave offence,

committed to the custody of the Sergeant-at-arms. Notwithstanding the possession of these privileges, it is a matter of grave doubt whether the House of Commons is or is not to be considered as a court of justice.

CHAPTER XIII.

THE WORKING OF THE PARLIAMENTARY MACHINE.

THE manner in which bills introduced into either house become acts of parliament has been already explained; but there remains a number of details which concern not so much the constitution of the houses as the practical working of it, and these it is now our duty to deal with.

The principal reason for summoning a parliament at all is that the fundamental principle of English liberty shall be observed, that there shall be no taxation without representation, or, in other words, that no one shall be compelled to contribute to the expense of governing the country without having previously given his consent. If the people were asked by the king to contribute money, it was natural that they should demand an explanation of why the money was required, and this is closely allied to a criticism of the measures which cause the expense.

Further, the king in asking for money put himself in the position of asking a favour, and it was natural that the Commons should lay down the conditions on which the favour should be granted. In this way it became customary for the Commons, when asked for money, to make a statement of grievances, as they were called, and to demand the redress of these grievances. This, it is true, is not to legislate, but it is to point out the lines on which legislation should proceed. A sovereign would naturally be anxious to keep in touch with the general public opinion of the country, and the summoning of parliament would be the best means of ascertaining

that opinion. It was only a slight change to ask parliament to confirm or ratify what has been already ordained in the royal council, and we find parliament summoned for this purpose.

Thus, although consent to taxation was always considered part of the duty of the Commons in parliament, it was a long time before their right to a voice in legislation was clearly recognized. The king in council gave orders and made changes without waiting for the consent of the Commons. Still less did the Commons interfere with questions of executive; indeed, if their advice was asked they were frequently reluctant to give it, lest they should be answerable for the expense which their advice might lead to. Although no money could be obtained by the king without the consent of the Commons, and although this opportunity was used for demanding explanations as to how the money was to be spent, yet the Commons had no actual control over the spending of it, and could not secure that it should not be used in ways of which they did not approve.

Financial
control of the
Commons a
gradual
growth.

Thus there was nothing approaching to the control which the Commons at present exercise over all branches of the state. Under the Tudors the power of the crown largely increased, and the influence and authority of parliament proportionately declined. The attempt to revive and extend it under the Stuarts led to civil war. After the restoration of the monarchy in 1660 the king had still a large revenue independent of parliament, but the practice of devoting parliamentary grants to some stated purpose was introduced, and this gradually gave the Commons a considerable control over the executive ministry.

The modern idea of the relation of the sovereign to parliament dates from the Bill of Rights, which marks the accession of William III. in 1688. This statute, amongst other things, declared the maintenance of a standing army in time of peace, without consent of Parliament, to be contrary to law. Besides this, an army can only be kept

The control
of the army.

under discipline by exceptional measures which do not apply to citizens in general, and these measures require the support of law in order that they may be enforced. These special measures of discipline are rendered legal by an act—the Army Act—which parliament passes for one year only. This act also declares the exact number of soldiers of which the army is permitted to consist.

If in any year the annual act should expire without being renewed, the army would become disbanded and would cease to exist. It is, therefore, necessary that the executive ministry should have a sufficient majority in parliament to pass this act, or the business of the country could not be carried on. On one occasion, more than a hundred years ago, when William Pitt acceded to power, the Mutiny Act—as the act was then called—was only passed by a majority of one.

Besides this, after the Revolution of 1688, the king was deprived of the large hereditary revenue which his predecessors had enjoyed, and was given an allowance called The crown revenues and the civil list. the Civil List, calculated to meet the cost of the royal household and the civil departments only. Since that time, at the accession of each successive sovereign, the Civil List has been more strictly limited to the personal requirements of the sovereign, so that not only the naval and military expenditure but that of all departments of the state has come under the absolute control of parliament. The sums necessary for these purposes are not only voted but appropriated, that is, portioned out among the different services, so that the conduct of each of the ministers in its most minute particulars may be reviewed by parliament.

The necessity of passing these acts every year also necessitates the annual meeting of parliament. In this manner it has become gradually necessary that the executive ministry should work in harmony with parliament. The king might choose his servants, but the House of Commons might make it difficult or impossible for them to carry on the work of government.

If we trace the gradually increasing influence of the House

of Commons over the government, we shall find that in early times the work of government, strictly so called, was performed by the sovereign himself by a simple exercise of the royal prerogative, but that

Responsibility of ministers.

at the present day it is performed by a body of ministers belonging to the party which possesses a majority in the House of Commons, holding seats in parliament and responsible to parliament for the manner in which they perform their work. This principle has now been so firmly established, and the control has become so complete, that there is no public act of the sovereign, whenever and however performed, for which some minister or ministers are not responsible. This is so completely the case that if a sovereign dismisses his ministers, the incoming ministry are bound to hold themselves responsible for the act which caused the dismissal of their predecessors.

When a new ministry has to be formed, it is the custom for the sovereign to send for some eminent member of one of the two houses of parliament, and intrust him with the task of forming a new administration. In ordinary cases the person sent for would be the leader of the party which has become victorious, either in the House of Lords or the House of Commons. Any one so sent for has a perfect right to decline the task imposed upon him, and the sovereign has the undoubted right to send for any one he pleases, although he will, of course, take care that his choice is supported by public opinion. The Prime Minister thus chosen nominates the rest of the ministry subject to the approval of the sovereign. Of the ministers thus chosen the most important form the Cabinet. It is to them we refer when we speak of the government of the country, yet the Cabinet is entirely unknown to law. The members of the Cabinet are all members of the Privy Council and as such are entitled to give advice to the sovereign, but the Privy Council at present takes no part in giving advice, nor is in any way responsible for the advice which those particular Privy Councillors who are called the Cabinet may offer.

The Cabinet
and the Privy
Council.

The power now possessed by the Cabinet has come to it in

a very curious manner. From an early period the King of England was accustomed to consult a Privy Council, which was an important body recognized by law. For several centuries this body deliberated on the gravest and most solemn affairs. But by degrees it became too large for the despatch of confidential business, and membership of it was given as a distinction of honour to persons who were trusted with no secret and whose opinion was never asked. Gradually the practice grew up of consulting a small group of statesmen within the Privy Council, and this became the regular practice in the reigns of Charles II. and William III.

After the Cabinet came into existence as a separate body, several changes were necessary before it assumed its present position. At one time there was a great jealousy of ministers of the crown sitting in the House of Commons, because it was feared that it might bring that assembly too much under the power of the king. Happily it was seen in time that the most effective control of the commons over the ministers was to be obtained by making them members of that body, and the parties in the House of Commons have now the power of indicating the ministers to whom they wish that the conduct of affairs should be intrusted.

Another important change, which has been already referred to, is that the sovereign should not preside at the meetings of the Cabinet. During the reign of Queen Anne the sovereign presided at such meetings of the Privy Council, attended by the chief ministers of the several departments. It was here that the most important affairs of the country were settled. It is even said that on one occasion a particular use of the queen's fan settled a very important matter, the minister knowing by the queen's gesture that she was determined not to change her mind. Her successor, George I., did not understand English, and therefore gave up attendance at the meetings of the Cabinet, which thus became entirely separated from the Privy Council.

It was a long time also before the principle was recognized, that the Cabinet must be formed from one party in the state, and

that its members should be agreed on all important questions of policy. The first party ministry was formed in the reign of William III., but the principle was soon departed from, and constantly set at nought. In his later years William III. did not hesitate to choose his ministers from different parties, and in the reign of Queen Anne we find both Whigs and Tories forming part of the government. It was indeed held that a minister, like the sovereign, should be above party, but in practice this arrangement was found to work badly. Although Sir Robert Walpole, a great statesman in the reign of George II., favoured the principle of a party cabinet, the rule was not maintained, and it was long before it was admitted as a principle in politics that cabinets should be constructed upon a basis of political union, agreed upon by the members when they consented to arrange affairs together.

It is indeed easy to point out the defects of party government. Much time and energy is lost by two powerful leaders, who might, if united, confer the greatest benefits on their country, opposing and thwarting every measure which is put forward by the other side. Important questions are obscured, bitterness is caused, even honesty is strained by the conflicts of party within the House of Commons. But it is found in parliamentary life that the only alternative to party is faction, and that if we have not a system of political connection founded on the possession by different men of the same political opinions, we must put up with a struggle of political groups who are only bound together by devotion to a particular leader—whom they are bound by honour or interest not to desert.

Another most important change is the growth of the principle of unity of responsibility, that is, that every individual member of the Cabinet is responsible for the acts of the whole body. This was of course impossible when cabinets consisted of men of different parties. Under these circumstances the resignation of a leading member of the Cabinet, or even of the prime minister himself, could not be regarded as carrying with

The begin-
nings of party
government.

Defects and
merits of
party govern-
ment.

it the immediate retirement of his colleagues. This theory of cabinet responsibility was not fully accepted until the time of William Pitt, and is therefore not much more than a hundred years old. At the present day the resignation of the head of a government will of course be followed by the resignation of all his colleagues.

Party government would be intolerable unless it were accompanied by the principle of ministerial responsibility. The Cabinets are jointly and severally responsible for all important measures of the whole body. By the policy thus put forward they stand or fall. Any uncertainty with regard to the extent to which a Cabinet supports the measures put forward by it would aim a fatal blow at political honesty.

The concert in action which is necessary for this purpose is also of slow growth. For a long time after the Revolution of

<sup>The Cabinet
as a united
whole.</sup> 1688 the Cabinet was little more than a loose cluster of nearly independent ministers, carrying

on the business of the state in their several departments, and responsible only to the general superintendence of the crown. There was no regular concert between ministers, and periodical meetings of the Cabinet for the regular discussion of business were not held. For the first twenty years of his reign George III. would have resented the authority of a paramount minister, and it was not till the accession to power of William Pitt, at the age of twenty-four, that the principle was established that the chief power and responsibility of government should be concentrated in the hands of some one man, who enjoys the confidence of the nation and of parliament.

Thus we see that the Cabinet first appears in the shape of a small irregular body, selected at the pleasure of the sovereign from the larger body of the Privy Council in order to give private advice, but with no power to perform any act of government without the assent of the Privy Council. At this period even the name of Cabinet is unknown. A second period occurs in which the Cabinet is indeed recognized by name, but does not acquire any distinctive position, and presumably

takes the place of the Privy Council either as the natural or legal advisers of the crown. In a third period the Cabinet, while not part of the constitution, does become the recognized body of the king's advisers and also the executive authority of the state. It is also agreed that the members of the Cabinet ought to be allowed to sit in the House of Commons.

Finally, near the end of the eighteenth century the Cabinet came to be regarded as a body consisting of members of parliament holding the same political views, and representing the party which has a majority in the House of Commons, pursuing a policy which all are agreed upon, bound, if censured by the House of Commons, to resign in a body, and owing a common allegiance to the prime minister, who is their head.

One of the most remarkable features of party and parliamentary government in England is the existence of a regularly organized opposition. The leader of the opposition in the House of Commons has as well defined ^{The} ^{opposition.} a position as the prime minister himself, and the rules by which the conduct of the opposition is guided are laid down, if not by law, at least by custom. Foreign nations have frequently found it difficult to understand this method of procedure. From their point of view the opposition is the enemy of the government, and naturally wishes to do as much harm to it as possible. Consequently the enemies of England have sometimes thought that they might be able to find allies amongst the enemies of the government, but they have always been mistaken. In all matters outside the region of parliamentary conflict the ministry and the opposition work together to secure the greatness and the prosperity of their common country.

It has usually been the case that there are only two great parties in the state, whether they are called by the names of Royalists and Parliamentarians, Cavaliers and Roundheads, town party and country party, Whigs and Tories, Liberals and Conservatives. Sometimes, owing to peculiar circumstances, a third party has arisen in parliament,

but this has always been a cause of confusion, and the machine of government never works so well as when there are only two well-defined parties in public affairs.

Mention is often made of the rights of minorities and of the tyranny of majorities. Indeed, it sometimes happens that a majority in parliament does not represent a real majority of voters in the nation, because the members of parliament belonging to the majority may have been returned only by a small preponderance of votes, and the members of the minority may have been elected by an overwhelming voice in their own districts. Under these circumstances it seems hard that a question should be decided, as it often is, by a difference of only a few votes.

The rights and influence of minorities. But we must remember that in cases where public opinion is very equally balanced, the decision of a question in one direction or another is sometimes more important than the manner in which it is decided. A long-continued dispute may be more dangerous to a country than a determination which is not absolutely the best. Besides, a large minority will always have an effect in the counsels of the majority; each side will give way somewhat to the other side, and a compromise will be arrived at which will be more beneficial than a resolution of greater rigour.

Methods have frequently been proposed by which minorities may be represented, and plans have been put forward by which parliaments may be made to represent with greater accuracy the various shades of political thought which are to be found in the community. But it is very doubtful if these schemes would produce a good result. Our parliamentary machine is so complicated, and the forms of parliament already described afford such scope for opposition and even for obstruction, that it is difficult for the most gifted minister to pass a large measure of legislation through the two Houses. Also, the executive is weakened by the presence of numerous opponents, and a country like our own has need of a strong executive. It is therefore a good thing that the feeling of the country should be slightly exaggerated in parliament; that the government

should have the means of carrying out the policy they have adopted; and that the minority, while having ample opportunity of criticising, should be powerless to prevent the measures of which they disapprove.

A patriotic citizen might prefer to see in power a strong government with which he does not agree, rather than a weak government of whose general policy he approves. This, however, should not prevent him from doing his utmost to place in office the party to which he belongs, with a majority which will be able to contend successfully against opposition.

CHAPTER XIV.

THE JUDICIAL SYSTEM—THE JUDGES AND THE COURTS OF LAW.

THE functions of government may be divided into three large sections—legislative, judicial, and executive. It has been sometimes held that the excellence of a government depends upon the extent to which these powers are separated, and the English government was often cited by writers on politics as an instance of the good effect of their complete distinction. This, as we have seen, is not the case. Parliament is a legislative body, but the chief executive ministers are always members of parliament, and have the greatest influence and authority in that assembly. The cabinet is composed of executive ministers, but no important law has a chance of being enacted by parliament unless it is introduced and carried through by the influence of the cabinet.

The several functions of government.

Similarly, parliament may pass a law, but it can only be put into operation by the judges and the courts of law. An act of parliament which is not enforced by the law-courts remains a dead letter, while the decisions of the judges may so modify the terms of an act of parliament as to

give it a different meaning to that which parliament intended when it was passed. Therefore the judiciary has an important, although an indirect, share in the business of legislation.

At the same time, these functions are so far distinct that it is convenient to consider them separately. In early times the sovereign was lawgiver and judge in his own person, and was also the executor of his own decrees. As civilization has progressed, these functions have been what is called differentiated, that is, distributed amongst different bodies. This, however, is no reason why the bodies charged with these duties should not influence each other, and why their spheres of action should not occasionally overlap.

The head of the English judges is the Lord Chancellor. Let us see what his name implies. The Latin term for it, used in early times, is *cancellarius*, which means the person who sits near or at the *cancelli* or screen. The ^{The judicial system: the Lord Chancellor.} chancel of a church is that part which is divided from the rest by *cancelli*, or a screen. If we imagine a king sitting in a large hall, transacting business of different kinds, the hall being divided at the middle by a screen with an opening in the centre, we shall see that the convenient place for the king's secretary would be at the screen. Here he would be able to meet the suitors before they were admitted to the royal presence in the upper part of the hall, and here he would copy out the king's orders and transmit them to the proper persons.

In early times his duties would be twofold, domestic and foreign. He would intimate the king's will to his own subjects and to the representatives of other nations. We thus find that while in England the name chancellor implies a high legal official, occupied only with home affairs, abroad it is the name of the chief foreign minister; and the offices of ambassadors and other envoys are in all countries called the *chancery*.

In early times the chancellor was always a clergyman, and as the clergy were not allowed to marry his office did not, like so many great offices of state, become hereditary. It was always placed in competent hands. The chancellor thus became the

"keeper of the king's conscience"; he represented the sovereign as the guardian of royal wards; he administered justice in cases which were not provided for by the common law of the land, that is, in cases which, as involving new principles, would be brought before the personal judgment of the king himself. This kind of law developed into a system which was called equity, in distinction to the common law, which rested upon statutes and upon the decisions of the ordinary judges. Naturally, from being the registrar of the king's decrees, he came to be consulted about them, and in time he became alone responsible for them, questions being referred to him instead of the sovereign.

The Lord Chancellor therefore holds a remarkable position in the government of England. His position is as singular as it is splendid. He forms a link between the judicial and the executive systems. He is, according to settled custom, a member of the cabinet. He is speaker or chairman of the House of Lords. He would be so even if he were not a peer, although he would then have no right to speak or vote. As a peer he has both, and is one of the chief expounders and defenders of the ministerial policy in the Upper House. He is certainly the foremost of those to whom the judicial authority of the House of Lords is committed. He is president of the Court of Appeal, of the High Court of Justice, and of the Chancery division of that court. These terms will be more fully explained hereafter. He is always a privy councillor and a member of the judicial committee of the Privy Council. He does not in practice sit in the High Court, of which he is president, but he habitually presides in the House of Lords, he very frequently sits as a member of the judicial committee of the Privy Council, and occasionally in the Court of Appeal.

In practice the chancellorship is always given to a distinguished lawyer, but not always to one who has been a judge. Indeed it might be given by the sovereign, or the prime minister, to any one they chose, and, as has been implied, was in former times often held by a bishop. There is also a great difference between the conditions on which the

chancellorship is held and those on which an ordinary judgeship is held. A judge holds office "during good behaviour", that is, in practice, until his death or resignation. A chancellor goes out of office with the ministry. He is, like the other ministers, regarded as the servant of the sovereign.

The Lord Chancellor practically appoints the judges. They are said to be appointed by the sovereign, but the sovereign always acts on the recommendation of the chancellor.

The posts of Lord Chancellor and Lord Chief-justice are in the gift of the prime minister. All county court judges are appointed and removed by the Lord Chancellor. He also appoints and removes the justices of the peace, but in this he generally acts upon the advice of the lord-lieutenant. He also has in his gift a number of minor legal appointments, and as a relic of his former ecclesiastical character, and as keeper of the royal conscience, he has the power of appointing clergymen to a large number of church livings.

Besides his purely judicial functions, he has in other respects great influence over the proceedings of the law-courts. The procedure of the supreme court, of the county court, and of the court of bankruptcy is regulated by certain rules which have almost the form and character of laws. These are mainly drawn up by the Lord Chancellor. He also has considerable power in regulating judicial fees. To sum up, he is a judge of all the great law-courts, and he habitually presides in the greatest. As cabinet minister he represents the central government in controlling civil as opposed to criminal justice.

In the year 1875 a supreme court of judicature was created by statute, and this was divided into two divisions—the High

The supreme court of judicature: Court of Justice and the Court of Appeal. It must be remembered that all judicial work, done by the supreme court, is done either by the High Court or by the Court of Appeal. At the same time the supreme court and the High Court are different things.

its divisions. The High Court consists of three divisions—the Chancery division, the King's Bench division, and the division

of Probate, Divorce, and Admiralty. The first has five judges besides the Lord Chancellor, who is president; the second has fourteen judges besides the Lord Chief-justice, who is president; the third has two judges, one of whom is president. The Court of Appeal has six ordinary judges—the master of the rolls and five lords-justices. Besides this, the presidents of the three divisions of the High Court are also members of the Court of Appeal. Therefore there are twenty-nine judges altogether, of whom twenty-three sit in the High Court of Justice, and nine in the Court of Appeal.

The judges are appointed by the sovereign on the recommendation of the Lord Chancellor. They are paid by salaries charged on the consolidated fund, a term which will be explained later on. They hold their office during good behaviour, but they can be removed by the sovereign on an address presented by both houses of parliament. Any barrister of ten years' standing is eligible as judge of the High Courts, but a judge of the Court of Appeal must have been a barrister for fifteen years, or a judge of the High Court for one year. A judge cannot sit in the House of Commons, but political services in or out of the house have been sometimes regarded as recommendations to the office. On the whole, for the last two hundred years the body of judges have not been chargeable with political partisanship.

It has always been the practice in England to have a small number of highly-paid judges acting in constant concert with each other. We find, therefore, that the number of judges has by no means kept pace with the growth of England in population and wealth. The consequence of this is that a great deal of preliminary work which in other countries would be done by judges is in England performed by persons who are not judges. This is done by officers called "masters of the supreme court", or by chief clerks in the chancery division, or by district registrars, who exercise in the country the powers held in London by "masters". At the same time all questions which

are really judicial, unless they merely concern costs, may be argued before a judge.

The judges of the County Court are appointed by the Lord Chancellor from among barristers of seven years' standing, and

County
Court
judges. they may be removed by him for inability or misbehaviour. They cannot sit in the House of Commons, nor may they practise as barristers.

Their salary is paid from the consolidated fund. Besides the judge, each court has a registrar and a high-bailiff, the two offices being generally held by the same person. This officer performs the preliminary duties mentioned in the previous paragraph, and he may give judgment in certain independent cases. England is divided into about five hundred county court districts, and about one-tenth of that number of circuits, each of which is under the care of a single judge. The number of districts in a circuit varies from one to seventeen.

We have already spoken of county and borough magistrates, but some mention must be made of them here. Any one is

Magistrates:
justices of
the peace. qualified to be a county magistrate who has an estate in land worth £100 a year, or occupies a dwelling-house owned to that amount, but certain

persons are exempted from this qualification. You have probably heard of a *quorum* of magistrates being necessary for the transaction of business. The origin of this is that it was the custom formerly to have amongst the magistrates certain persons learned in the law, without the presence of one of whom (*quorum*) certain business requiring legal skill could not be undertaken. These magistrates were the *quorum*, but as it has become gradually the practice to include all magistrates in this *quorum* the distinction has ceased to have any value.

The justices of the peace are appointed nominally by the sovereign, but really by the Lord Chancellor, who generally acts on the recommendation of the lord-lieutenant. The justices hold office during the sovereign's pleasure, and can be dismissed without assigning any reason, but in practice they are not removed except for grave cause. The number of county magistrates has gradually increased, and the "com-

mission of the peace", as it is called, includes many names. But not more than half of those named in it have, as a rule, taken the oath which qualifies them to become acting magistrates.

The county magistrates would get on very badly if it were not for the clerk of the peace for the county, who has all the secretarial work in his hands, and who is the centre of the whole system. He is appointed by the lord-lieutenant in his capacity as keeper of the rolls, or by the quarter sessions. A great lawyer has said many years ago of our county magistrates: "It is such a form of subordinate government for the tranquillity and quiet of the realm, as no part of the Christian world hath the like, if the same be duly exercised".

Of borough magistrates, as of boroughs, there are different kinds and degrees. First come recorders, appointed to boroughs which have quarter sessions. The recorder is appointed by the sovereign from among barristers of five years' standing. ^{Borough} ~~magistrates~~. He holds office during good behaviour, and receives a salary from the borough, which in general is nominal, as he is not prevented from practising as a barrister. He holds quarter sessions four times a year, and tries, with the assistance of a jury, those crimes committed within the borough which are not reserved for the higher courts.

In every borough the actual mayor is a justice of the peace, as is also the mayor of the previous year. But in most boroughs there is a separate commission of the peace, which contains in large places seventy to eighty names, in small places five or six. These justices are appointed by the Lord Chancellor as representing the sovereign, are unpaid, and hold office during pleasure. While they act as magistrates they must reside in the borough, or have a house or warehouse within it. In the metropolis, and about seventeen other large towns, there are stipendiary magistrates, that is, magistrates who receive a salary or stipend, who sit regularly in police courts. Where this is the case the county and borough magistrates do not generally interfere.

Of the coroner we have already spoken. His duty is to hold an inquest if he has reason to believe that any person has come to his death by foul play, or that he has died suddenly from some unknown cause, or if he has died in prison. The inquest is held with a jury, which must consist of twelve or more. Twelve must agree before there is a verdict, but subject to this rule the opinion of the majority prevails. The coroner has power to compel the attendance of witnesses, and evidence is given upon oath. When there is a verdict of murder or manslaughter, the coroner can bind over the witnesses to give evidence at the trial, and he will hand the written statement of the evidence to the court before which the trial will take place

The most obvious distinction of justice is into civil and criminal. Civil justice secures a remedy for those who have suffered a wrong, criminal justice secures punishment for those who have committed a crime. If a man is found guilty of a murder he is executed, but the family of the murdered man obtains no compensation for the injury done to them. If a man is condemned in a court of law to satisfy a debt the creditor does recover what is due to him. In all civilized countries courts of law are established for both these purposes, to enforce the redress of wrongs and to punish criminals. Let us see what provision is made for these purposes in England, proceeding from the most simple to the most complicated.

The most familiar representative of law and order in England is the policeman. The police are now organized on a military system, and are paid to maintain order, detect crime, and arrest offenders. But the establishment of the force in a complete form is of ancient date. Formerly the law was that every township should have its constable. Every man of the township had to serve his time in that office, with no payment except certain customary fees. The constable was either elected by his neighbours or appointed by the justices, but he might provide a substitute. As a constable he had the power of arresting offenders, which ordinary citizens

Civil and
criminal
justice.

The police.

do not possess, and this power he passed to the modern policeman. Even now, by a law little more than fifty years old, an able-bodied man, not specially excused, is liable to be constable of his parish or to find a fit substitute. But practically this duty is only likely to arise when special constables are appointed to meet a particular unexpected danger. This may be done by two justices, or by the secretary of state for the home department, and any one refusing to serve is subject to a penalty of five pounds. The old arrangement of parish constable has gradually disappeared, and its place has been taken by a more elaborate and efficient system.

The metropolitan police force dates from 1829. The familiar nicknames "bobby" and "peeler" show that it was invented by Sir Robert Peel. The establishment of a regular ^{The metropolitan} constabulary in every county and borough dates from 1856. At the present time the police forces of England consist of the city of London force, the metropolitan force, the county force, and the borough force. The metropolitan force is under the command of a commissioner and two assistant commissioners, who are controlled by the home secretary. The rule of the force is naturally stricter than it is in any other force in England. The metropolitan commissioner has large powers for regulating street traffic, licensing cabs, and other matters.

The county police force is under the control of a standing joint committee consisting of an equal number of justices and of members of the County Council. At the head of the force is a chief constable appointed by the committee, whose appointment must be approved by the home secretary. He appoints and dismisses his subordinates, subject to the regulations made for that purpose. A municipal borough may if it pleases maintain a police force of its own. If a town has no force of its own it employs the police force of the county, and towns of less than ten thousand inhabitants are all policed by the county police. Some large towns are also policed by the county. The cost of the pay and clothing of the police is paid half by the respec-

<sup>The county
and borough
police.</sup>

tive counties and towns and half by funds allotted from the exchequer. The borough force is under the control of a "watch committee", which appoints, dismisses, and governs the constables. A policeman formerly could not vote for his own county, or for any adjoining county, or for any borough therein, and was subject to a penalty if he endeavoured in any way to influence an election. He can now vote in both parliamentary and municipal elections, and on a sufficient term of service receives a pension.

This being the constitution of the police force, let us see how it acts in practice. Every citizen has the power of arrest, but a constable has special powers which do not belong to private individuals. Any person may arrest any person who is actually committing or has actually committed any felony, that is, one of the more serious crimes. Any person may arrest any person whom he suspects on reasonable grounds to have committed any felony if a felony has actually been committed. On the other hand, any constable may arrest any person whom he suspects on reasonable grounds of having committed any felony, whether in fact any such felony has been committed or not. These are rights belonging to the common law of England, but they have been extended by statute. Any person may now, without a warrant, arrest any person whom he finds committing any crime at night, and may arrest at any time any person whom he finds committing any one of the several great classes of crime. But he may only arrest "in the act", and not on suspicion, or even if he knows for certain that a crime has been committed. Also under statute a constable may arrest without warrant persons found committing many other such offences. For instance, in the metropolitan district a person is liable to arrest for nuisances committed in the open street, such as riding on the pathway, beating carpets, throwing things out of window, leaving cellar-traps open; and a similar code prevails in the urban districts which have been already described. Also certain acts of cruelty to animals render a person liable to arrest, and a man who is drunk and disorderly in a public place may be arrested.

The powers of
citizens and
the police.

Further, the police in many places have power to apprehend persons who under certain suspicious circumstances are apparently about to commit crimes.

Apart from summary arrests, a person accused of crime is apprehended under a summons or a warrant. This is granted by a justice upon information being laid that a ^{Police Court} person has committed, or is suspected of having ^{procedure.} committed, a crime. A summons is an order requiring a person to appear at a given time and place to answer to the charge contained in it. This must be served on him personally or left at his usual abode. A warrant is an order for a person's arrest. In performing the duty of arrest a constable is awarded special protection. An assault upon him in the execution of his duty is punished by a heavy fine, and to resist lawful arrest is a serious matter.

A person thus arrested must be brought up for trial as soon as possible. He is examined before a magistrate. If the offence is serious he is committed to prison, or allowed to give bail for his appearance at trial on some future day, that is, to promise to pay a certain sum of money if he does not appear. If the offence is very petty it may be disposed of by the magistrate at once, or may be tried by what is called a court of summary jurisdiction. This would be the court of the stipendiary magistrate where one exists, or the Court of Petty Sessions. A petty sessional court consists of two or more justices. In these, both facts and law are determined without a jury. The justices are usually assisted in their work by their paid clerk. But it must be remembered that in all cases of summary jurisdiction there is a full trial in open court conducted on the general principles of English justice. Either party may be heard by counsel. The ordinary rules of evidence are observed. Witnesses are sworn and examined and cross-examined, and are subject to the penalties of perjury if they swear to a lie. In many cases an appeal is allowed to the Quarter Sessions, or to the High Court. The number of persons convicted by summary jurisdiction is about twice as large as those convicted by trial by jury.

If a person is brought before a magistrate, and a summary trial is out of the question, the magistrate has to determine whether or not there is a strong or probable ground for supposing him to be guilty. If it is the magistrate's opinion that there is not, he will be discharged from custody; if there is, he will be committed or bailed for trial. This preliminary examination is usually conducted in a very formal manner; the public are generally admitted. Witnesses give their evidence on oath, and solicitors and counsel are often employed. After the evidence for the prosecution has been given, the magistrate, unless he at once dismisses the charge, asks the prisoner if he has anything to say in his defence, cautioning him that what he says may be used against him at his trial. The accused may then make his defence and call his witnesses, and the magistrate will then determine whether the case should be dismissed or sent for trial.

If he is not discharged, the accused is either committed to prison or is bailed, so that he may be tried at Quarter Session Assizes or at the Central Criminal Courts in case an indictment is found against him; that is, in case there seems ground for believing that he may be guilty. Being bailed means that the accused and some other person or persons have promised to pay the crown a certain sum of money in case the accused does not appear for trial at the specified time. The magistrate has also power to adjourn the inquiry, to remand the accused, and either to detain him in custody during the interval, or to accept a surety for his appearance. The interval of remand may not exceed eight days.

If a man considers himself unlawfully imprisoned he may apply for a writ of *habeas corpus*. This is an order issued by the High Court to any person detaining any person in prison, to bring up the body of the prisoner before the court at once, in order that the legality of his being so detained may be inquired into. It is thus a ready means of bringing before the High Court the question whether an imprisonment is lawful or not.

It is found in practice that about one-fourth of those who

undergo the preliminary inquiry before the magistrate are discharged. This inquiry is thus of great use in distinguishing between the innocent and the guilty. If a man is sent to trial by a magistrate the probability is that he will be convicted.

Besides the manner of commencing a criminal trial above described, a criminal prosecution may begin with an indictment or a criminal information, or, in the case of murder and manslaughter, with the inquisition of a coroner. ^{Criminal procedure.} This method had an ancient origin. From the twelfth century onward it was the practice for the king's judges to travel through the country, and to inquire about crimes committed within a particular district. Information was given to them on express oath by a number of good and lawful men of the neighbourhood, who came to be called a jury or a grand jury.

Our principal idea of a jury is a body of twelve men who decide sometimes whether a crime has been committed, and sometimes what is the punishment to be inflicted.

Juries who reported on crimes or other matters to the travelling judges were known as juries of presentment. The grand jury have still the power of indicting any one, although no one else is making any charge against him, but this power has fallen into disuse. Nowadays some one brings a charge against a man, or a bill of indictment is put before the grand jurors, and they, after hearing in private the evidence for the prosecution but not for the defence, mark the bill either as "a true bill" or "no true bill" according as they think the charge should be sent for trial or not.

The grand jury must consist of not less than twelve or more than twenty-three men, but twelve must concur in order to make an indictment. The grand jury consists generally of justices for the county.

A person thus committed for trial or indicted may be tried either before the county or borough Quarter Sessions, or before the High Court, or, to speak more accurately, ^{Quarter Sessions.} before the King's Bench division of the High Court, or at the Assizes, or at the Central Criminal Court. The Quarter Sessions are held four times a year at regular

dates by the justices. Two justices are enough to constitute such a court, but the practice is for a large number of justices to attend from all parts of the shire, so that the meeting is a law-court for the whole county. It is a court of high criminal jurisdiction, and may try all crimes except those which are specially reserved for the higher courts. The Quarter Sessions are presided over by a chairman elected by the justices; he charges the grand jury, that is, he explains to them the chief points in the cases they have to try, sums up the evidence, and pronounces sentence; but the sentence delivered is the sentence of the whole court. In some cases the courts of summary jurisdiction have an appeal to Quarter Sessions: these appeals are heard without a jury.

We now come to the Assizes. An assize, which in Latin is called *assisa*, merely means a sitting or a session; for instance,

the king sitting with his councillors. In ancient

Assizes. times the ordinance made at such a sitting was

also called an assize. From this the name was applied to certain kinds of lawsuits established by such ordinances, and the commissioners who were sent to try them were called judges of assize. Gradually these commissioners were invested with larger powers. Two of these commissioners were those of *jail delivery* and *oyer and terminer*. The first of these terms merely implies the power to try the prisoners in a jail on the charges for which they are imprisoned. The second is composed of two French words which mean to hear and to determine, that is, to inquire and decide upon all felonies or other crimes within the limits of the commission. Thus the judges were generally invested with three commissions—those of assize, jail delivery, and oyer and terminer, and the last two could be issued by the sovereign whenever he pleased.

The principal criminal court was the Court of King's Bench, which has now become the King's Bench Division of the High

King's Bench division. Court of Justice. At present commissioners, commonly known as judges of assize, are sent out four times a year; in summer and winter, to take both civil and criminal business, in spring and autumn, to take

criminal business only except in a few populous districts. The court thus held is declared by statute to be a court of the High Court of Justice. Thus the judges representing the High Court can dispose completely of the whole action, decide all questions of law, and pronounce the judgment of the High Court.

Many of you must be familiar with circumstances which accompany the assizes. The sheriff in uniform, with a gorgeous carriage, accompanied by his chaplain and javelin-men, receives the judge in state as the representative of the sovereign. A solemn service is held in the principal church. Trumpets are blown when the judge enters and leaves his carriage. In the court itself the judges sit on high with their large wigs, the criminal judge clothed in scarlet, and the civil judge in black. These ceremonies at once testify to the ancient origin and dignified character of the proceedings, and sustain the majesty of the law.

The Central Criminal Court, established some seventy years ago for the city of London, the county of Middlesex, and the parts of Essex, Kent, and Surrey which border upon the city, must also be regarded as a court of the High Court of Justice for trying criminal offences. The turns taken by the different judges throughout the counties of England and Wales are called circuits. There used to be six of them, but as they are subject to change it will not be necessary to say anything particular about them.

Central
Criminal
Court.

When a person is brought up for trial on a criminal charge, unless he can plead a royal pardon, or that he has been already acquitted or convicted of the same charge, he says, *Proceedings in court.* in answer to the demand of the judge, that he is guilty or not guilty. If he says the first he receives sentence; if the second, his guilt must be proved against him. After the jury has been sworn the trial proceeds. The counsel for the crown who conducts the prosecution states his case and calls his witnesses to prove it. If the prisoner calls no witnesses, or only witnesses to character, and is undefended by counsel, the prosecutor may then sum up to the jury, that is, put the whole case clearly before them. If the prisoner calls witnesses,

the prosecutor has a right to reply. The judge sums up the evidence, and the jury return their verdict. If they acquit the prisoner, he is discharged. If they convict him, he is asked in cases of felony if he has anything to say, and unless he says something which stops the judgment he is sentenced.

The selection of juries is left to the under-sheriff. Either party to an action or a prosecution, that is, to a civil or criminal trial, can challenge the whole array of the jurors if he has doubts about the impartiality of the sheriff, or he may challenge an individual juror if he thinks that for personal reasons he is

^{Selection of} likely to take part against him. Besides this, the juries. accused can challenge, without assigning any cause, thirty-five persons in cases of treason, and twenty in cases of felony. This form of challenge is not allowed in a civil action or in a trial for misdemeanour. The right of challenge is frequently used in Ireland. An accused person can also ask that a trial shall be moved from the county to London, if he is afraid of local prejudice. Any one may be summoned to give evidence at a trial, and if he does not appear he is liable to punishment.

We have up to this time been speaking principally of criminal courts; let us now pass to civil courts. The simplest kind of civil court is the County Court, of which mention ^{Civil procedure: the} ~~County Court.~~ has been already made more than once. This system of court is not yet sixty years old. The County Court is a court for a district, of which it has been already said there are about five hundred in England. Again, it can only try actions of a certain kind. It can entertain any civil action and give any remedy if the sum at stake does not exceed £50, with this exception, that no action of malicious prosecution, libel, slander, or breach of promise to marry can be begun in the County Court. Even in other cases a suitor may go to the High Court if he pleases, but he would not gain any advantage by doing so. The judge of the County Court decides both fact and law without a jury; solicitors and barristers practise in them, but the persons concerned very often appear in person. There is an appeal from the County Court in certain

cases to the High Court, the Court of Appeal, and the House of Lords.

In the High Court cases are tried either with or without a jury. If there is a jury they decide the facts and the judge decides the law. In civil trials the jury fix the damages, that is, the sum which the person aggrieved is to receive as compensation. If a party to a case is dissatisfied with the decision of a judge, he may appeal to the Court of Appeal. This court sits at the central law-courts, three judges sitting in one room and three in another. Some matters may be heard by two judges, but there are generally three. In the appeal all questions of fact and law may be reopened. A jury is not employed. Similarly, if a person is dissatisfied with the verdict where a jury has been employed, he may move for a new trial. This is first done before a division of the High Court, in which two or more judges sit, but there lies an appeal to the Court of Appeal and to the House of Lords.

The final appeal is made to the House of Lords, which, as has been said, besides being a branch of the legislature, is also a court of law. Theoretically every peer may take part in this judicial business, but practically the only lords who now act as judges are the lords of appeal,—they are the lord-chancellor, the three paid lords of appeal, and any peers who are or have been judges of the Supreme Court of England, Ireland, or Scotland. Three lords of appeal must be present to hear a case. The lords of appeal in ordinary are generally also privy-councillors, and therefore have the right of sitting on the judicial committee of that body, which has been already described.

A lord in ordinary must have held high judicial office, or have practised for fifteen years as a barrister in England or as an advocate in Scotland. He is a peer for all purposes, but his dignity does not descend to his heirs. The difference between the House of Lords and the judicial committee of the privy-council is that in the first case each lord gives his opinion, there is a debate and division, and if the votes be equal the

judgment is affirmed. In the case of the judicial committee only one opinion is given, which is in the form of advice to the sovereign to confirm or reverse the decision in question. Effect is given to this decision by an order in council. About forty or fifty English cases come before the House of Lords every year, about fifteen Scotch, and five or six Irish. The House of Lords may also hear impeachments of members of parliament which are made by the House of Commons, but they have fallen into disuse and are not likely to be revived. The judicial committee of the privy-council is generally used as a court of appeal by the colonies.

CHAPTER XV.

THE EXECUTIVE GOVERNMENT.

The Control of Education, Local Government, Trade, Agriculture, and Post-office.

In the preceding chapters we have dealt with two of the principal functions into which government is divided, the legislative and the judicial; that is, with the manner in which laws are made, and the manner in which justice is administered. We have now to deal with the third branch, the executive. We have already spoken of the power and the prerogatives of the crown. We will now pass to a consideration of the different departments of the government, which becomes more limited and divided as civilization becomes more complex.

We have seen that parliament makes laws, and that laws are interpreted and expressed by the law-courts. But laws are of many different kinds, and have reference to many different aspects of the state. Each of these is under the control of some special government office. These offices have grown up gradually, and their development is a part of English history. The apportionment of duties has been partly a result of policy

and partly of accident. We do not find in an old country that clear and orderly separation of functions which would probably be called into existence if we were establishing an independent government for the first time. In England, although centralization, that is, the direction of local efforts from a central source, has been on the increase, and although the interference or co-operation of the state is frequently asked for to assist amendments which seem to lead to progress, yet there is a fear of imitating continental nations too much in this respect. Indeed, there are many statesmen who think that the interference of the state in social matters has gone too far already, and ought to be diminished rather than increased. There is therefore a reluctance to create new departments unless the necessity for them has been placed beyond a doubt. We will consider the departments of the executive one by one, and the duties of the responsible ministers who preside over them. In doing this we will adopt an order based upon the extent to which they come into contact with our daily domestic life, rather than one which depends upon the history of their gradual development.

We will therefore first consider how those matters which are in their nature purely local, such as education, the care of health, and of the destitute poor, are directed and supervised by the central government. The first departments to which we will call attention will be the Education Office and the Local Government Board. The Education Department, or, as it is now called, the Board of Education, is a department with parliamentary chiefs at its head, and is thus directly responsible to parliament. It had its origin in a committee of the Privy-council established in the year 1839 to administer a grant of public money given in aid of voluntary contributions for public elementary education, a grant which in that year reached the sum of £30,000. In 1853 the Education Department became a regular department with a staff of officials and clerks, the President of the Council being at the head of it; and three years later a Vice-president of the Council was appointed who should be capable

The Education Department.

of sitting and voting in parliament. Thus was created a minister of education responsible to parliament.

Until the year 1870 the work of the committee consisted in seeing to the proper distribution and use of the money voted annually by parliament for education. Out of that sum the committee made grants for the maintenance of schools, the payment of pupil-teachers, the supply of maps and other educational appliances, and also towards the establishment and support of training colleges for teachers.

In 1870, as has been already stated, an important act of parliament was passed for developing public elementary education. This act imposed upon the department ^{The act of 1870.} the duty of seeing that every part of the country was furnished with sufficient school accommodation, and of enforcing its increase should the supply be insufficient. Many school boards were now set up, new schools were built, elementary education also became compulsory and finally free. Many new subjects of study were introduced into the schools, and altogether education made immense progress under the Education Department for the following thirty years.

The Committee of Council on Education had thus done valuable work, when in the year 1900 its place was taken by ^{The Board of Education.} the Board of Education, a body established by an act passed the preceding year. The new Board has control not only of primary, but also of secondary and technical education. It consists of the chief secretaries of state and certain other members, at its head being a president appointed by the King. There is also a parliamentary secretary, and the Board is assisted by a consultative committee consisting of persons qualified to represent the views of the universities and of other educational bodies. It has taken over the functions of the former Education Department, and has had others allotted to it besides. All schemes proposed with the object of carrying out the provisions of the Education Act of 1902 must receive the approval of the Board; and if local educational authorities fail to carry out their duties the Board can compel them to do so, after holding a public inquiry.

relative to the matter. Generally, the Board is referred to in matters of doubt or dispute, and its decision is final. The question, for example, as to whether a new school is required in any locality may be submitted to it at the instance of ten ratepayers, and if it decides in the negative the school cannot be built. Under the Board is a very extensive staff, the more important members of which are school inspectors whose duty it is to see that the requirements of the Education Acts are complied with.

Every year the Board of Education issues a series of regulations forming what is called "the Code". In this are set down the conditions under which education is to be given and payments are to be made. The Code ^{The Code.} is laid before both Houses of Parliament for a month before it becomes law, and may therefore be a subject of debate and of voting in either house.

The Department of Science and Art is now also under the Board of Education. This department has had a wide influence over the whole country. By it instruction is given in almost every branch of science and art. Examinations are held, certificates and prizes are awarded, and buildings for the purpose of teaching are erected. In any place where these classes have been established the committee which manages them may receive payments from the government upon the results of the teaching as shown by examination. Scholarships and exhibitions are competed for, the department contributing largely on the condition that the locality also does its share. Assistance is provided for teachers wishing to improve themselves by attending classes of advanced instruction. Grants are given to local museums, and loans of books and teaching apparatus are made. Training colleges for instruction in science and art also receive help, and aid is also forthcoming for the teaching of drawing in elementary schools. Technical education also is not neglected, but this in all its branches is becoming so important that it will probably before long be completely organized as one of the most important branches of elementary and secondary instruction.

<sup>The Science
and Art De-
partment.</sup>

The Local Government Board is a more recent institution even than the Education Department, but has a close connection with the daily life of the community. It was created with the object of bringing under one department the supervision of the laws relating to the public health, the relief of the poor, and local government. It dates only from 1871, that is, a year later than the act which gave such new and extensive powers to the Committee of Council on Education. The department consists of a president and a number of cabinet ministers, but in practice its actual work is performed by the president and his staff of secretaries and clerks.

One of the chief duties of this Local Government Board is the care of public health. With regard to this it has three classes of duties. First, it may do things of itself. It may require the local authorities of districts to remove nuisances, or to take measures for the preservation of the health of the community. It may insist on proper drainage being made, or proper water supply being provided; it may make regulations for preventing the spread of infectious diseases. If it has been found the duty of a local body to take steps of this nature the Local Government Board may compel the performance of the duty, and enforce penalties in case of neglect. It also maintains by means of its inspectors a general superintendence over the proceedings of local authorities, and ascertains whether a duty has been neglected which demands its interference. It also employs auditors who exercise the same kind of care over local expenditure. The president and the secretary of the board may have seats in parliament, and the higher officer is generally a member of the cabinet.

The creation of this department has also led to the establishment of a regular system of local government throughout England, part of which already exists and part remains to be completed.

The Local Government Board has also the supervision of the whole system of national poor relief, which until it existed had been in the hands of the Poor Law Board. It issues the

regulations under which the poor-law acts are carried out by the local authorities. It maintains a number of inspectors, whose duty it is to attend the meetings of the Board of Guardians, when they may take part in the proceedings without the power of voting, to inspect workhouses and places where relief is given, to inquire into complaints, to give advice, and to point out mistakes. It also, by its auditors, examines the accounts of every authority and official, which are drawn up according to special forms, the auditors refusing to pass any items of expenditure in which they suspect the least transgression of the law. The Local Government Board has also the power of discharging its officials employed by the local authorities, who in their turn may not discharge their servants without permission of the board.

In a commercial country like England it is natural that there should be a department of government specially concerned with trade. Something more than a hundred years ago the duty of looking after these ^{The Board of Trade.} matters were given to a special committee of the Privy-council. Its duties were to advise the Foreign Office with regard to our commercial relations with other states, to give similar assistance to the Colonial Office in regulating matters of trade between the colonies and the mother country, to afford help to the Treasury in respect of customs and excise. Also, acts of parliament would be passed empowering the Board of Trade, as it was called, to issue orders on matters relating to trade. It would further be the duty of the board to collect and revise the statistics or figures which have reference to trade, and in a similar way to superintend the collection of national statistics, that is, the figures relating to the different aspects of national life and activity, such as the value of goods imported and exported, the value of British shipping, and the like.

The Board of Trade is now constituted as a committee of the Privy-council, by order of council at the beginning of each reign. It consists of a curious collection of notabilities, the president, who is a member of the ministry, the First Lord

of the Treasury, the principal secretaries of state, the Speaker of the House of Commons, and the Archbishop of Canterbury. But the action of the committee is merely nominal, and the work is really done by the president and his official staff. This staff is organized so as to perform well and thoroughly the work of the five departments into which the operations of the Board of Trade are divided. These are the Statistical and Commercial Department, the Railway Department, the Marine Department, the Harbour Department, and the Financial Department.

The first department represents the duties of the old board, except that the duty of negotiating treaties of commerce with foreign nations has been transferred to the Foreign Office. The department gives information and advice on matters of trade to all the branches of the government if they care to ask for it, and this is done with increasing frequency as years go on. It also prepares statistics, or lists of figures and calculations, about the trade of the United Kingdom, the colonies, and foreign countries. It supervises all public trade accounts both monthly and annual, and prepares statements with regard to railways, agriculture, cotton, and emigration. It issues weekly the Board of Trade Journal.

The Railway Department was established as soon as railways began to be built in England. Many acts of parliament have been passed giving the Board of Trade authority over this kind of traffic. It is the duty of the board to inspect all railways and their work before they are opened to the public, and to inquire into all accidents that may occur on railways. It also takes notice of any increase of danger either for passenger or goods traffic, it secures the safety of the public by having control over level crossings. Railways have the power of issuing what are called bye-laws, or private rules which are enforced by law, but these must be examined and approved by the Board of Trade before they can be valid. Railway companies are allowed by act of parliament to compel people to sell land that is wanted for railway purposes. The board determines all questions of the kind

that may arise, and appoints arbitrators and umpires in case of disputes. Tramways, which are much akin to railways, also come under the supervision of the board. This department has also to do with matters connected with the metropolitan gas companies, and with the registration of joint-stock companies generally.

The Marine Department is two years younger than the Railway Department. It superintends and watches over the interests of the merchant navy of this country, and ^{Marine} _{Department.} of those who are employed in its service. It is obvious that many evils might occur if these matters were left entirely without regulation. Rotten ships might be manned by incapable seamen, commanded by worthless captains. Gross tyranny and injustice might be practised towards the crews and officers of these vessels. Even now it is difficult to prevent the occurrence of great abuses. There is now an examination which must be passed by all who wish to be masters and mates in the merchant service, in order that those who command the ships may be acquainted with their duties. This is under the direction of the Board of Trade. Also, to avoid the shameful cheating and corruption of thoughtless seamen, shipping offices for the engagement and discharge of seamen are maintained by the government. Now also, all ships have to bear painted upon them a line clearly marked to show the depth of water to which they may be safely loaded. Before this rule was made, ships entirely unfit to travel were sent out overloaded in order that they might be lost and the owners might obtain the insurance money. This line is known as the "Plimsoll line", from Mr. Samuel Plimsoll, the devoted philanthropist and member of parliament, who, by his untiring efforts, got this regulation made. It may be said in brief that the duties of the Marine Department of the Board of Trade are to look after the health, discipline and proper treatment of ships' crews; the fitness, care, and conduct of those who command them; and the condition, equipment and management of the ships.

The marine department of the Board of Trade became so

overladen with business that it was found necessary in 1866
Harbour De- to establish two new branches, the Harbour and the
partment. Finance Departments, in order to relieve it. The
Harbour Department, as its name implies, looks after all matters
connected with ports and harbours, lighthouses, and pilots,
except so far as these are under the care of a private corpora-
tion called the Trinity House, which performs many duties of
this nature. It has charge of the foreshores, or coasts between
high and low water, which belong to the crown. But other
duties have been given to it by acts of parliament which have
no reference to harbours. It looks after weights and measures,
providing and maintaining their proper standards. It tests
and examines the weights and measures used in trade and for
scientific purposes, and assists local authorities in doing similar
work. It also has the control of the coinage, and provides the
mint with the proper standards for determining the purity and
weight of the standard currency or ordinary money of the
realm; it also maintains the standard by which the purity of
gas is measured for lighting purposes, and has a similar control
over petroleum, although these matters have little or nothing
to do with harbours.

The Finance Department, as its name implies, not only looks
after the accounts of the Board of Trade in all their many
Finance De- complications, but sees to the proper use of a num-
partment. ber of funds established for the benefit of seamen
and their families, and examines and presents to parliament
the accounts of life assurance companies. For about forty
years the president of the Board of Trade has always been a
cabinet minister.

The Board of Agriculture is one of the recent government
offices, and dates only from 1889. Like other boards of which
Board of we have made mention, it consists invariably of a
Agriculture. number of distinguished people who never meet,
while the work is done by a president, who may sit in the
House of Commons, and a permanent staff. It has not as yet
acquired any large amount of power, although it may do so in
the future. It has begun modestly with duties which were

previously performed by other bodies. The privy-council was some years ago invested with the duty of destroying pests which were hurtful to agricultural produce, such as the Colorado beetle, and of preventing the spread of contagious diseases amongst animals. These powers have been transferred to the Board of Agriculture. Also, at different times certain duties with regard to land had been intrusted to the care of certain commissioners. Such were the commutation of tithe, that is, the changing of an annual charge upon the land for the maintenance of the Church of England into the payment of a fixed sum; the enfranchisement of copyhold, that is, the changing of an incomplete estate in land to complete possession of it; and the inclosure of commons. Also, those who only held land for life, or for some limited period, could not pledge the credit of the land for drainage or other improvements without reference to commissioners; and universities and colleges, which have large landed property held as a public trust, could not deal with it without reference to commissioners who represented the government. All these powers are now transferred to the Board of Agriculture. This board has also the power of muzzling dogs, or even destroying them, if they are found straying without an owner. The board also has an educational department, the object of which is to ascertain the best methods of farming land, and of managing dairy produce and stock, and giving instruction on these points to those who need it. Much may be done to remedy agricultural distress by intelligent and scientific methods of dealing with the soil, and the Board of Agriculture has a wide field of usefulness in these respects which has not yet been occupied.

Another department of the state which touches us very nearly in our daily life is the Post-office, which is under the control of the postmaster-general. The Post-office The Post-office. is a monopoly, that is, no one has the right of carrying letters in England for profit except the crown, and this monopoly is a considerable source of revenue. In all civilized countries the carrying of letters is considered a duty and a privilege of government, and in a federal state, where

there are a number of subordinate governments under a central head, this duty always belong to the central government. Still, Englishmen have always been so slow to establish any strong machinery of centralization that the complete monopoly of our Post-office is not yet seventy years old.

We are all familiar with the Post-office, with the uniform of the letter-carrier and the telegraph boy. The machine works ^{its various} functions so smoothly that we scarcely think of the gigantic organization which is necessary for its success, nor do we consider how much the operations of the Post-office have increased of late years. It not only conveys letters to all parts of the world, but newspapers, books, and patterns or samples. Lately it has taken to convey parcels, and the business of the parcel post is of great and growing magnitude. It has added to a monopoly of letter-carrying a monopoly of the telegraph; it also undertakes the conveying of money by postal orders or money orders to all parts of the world. It also provides a perfectly safe and easy savings-bank, receiving small sums from a shilling upwards and giving interest upon them. It accepts the money in postage stamps. Forms are issued, marked with twelve spaces, to each of which a stamp may be affixed, each form when full being received at the Post-office as a shilling deposit. We recommend every young citizen to take advantage of this as early as he can in life. The sum invested in the Post-office Savings-bank is over a hundred and forty millions of pounds, but it ought to be a great deal more.

Another function which has been committed to the Post-office is perhaps not as well known as it should be. It is possible for any one to insure his life at the Post-office for any sum between £5 and £100. He may also purchase an annuity or yearly income, to begin at any time he pleases, within the limits of £1 and £100. Also, if any one has deposits in the Post-office up to a certain amount, it is made easy for him to purchase government stock, that is, to lend money to the government on which he will receive interest, so that he may become the possessor of an annual income. The Post-office in this way is not only a means of communication between the

United Kingdom and the colonies, but is a means of bringing opportunities of thrift within the reach of any one, however poor he may be.

The clear revenue from the Post-office amounts to about four millions a year; but there is a loss on the telegraphs. Generally all Post-office arrangements are carefully looked after by the treasury, which is naturally anxious that so important a source of income shall not be injured. At the same time there is a danger lest this should be carried too far, and that the object of deriving a large revenue from this monopoly of the state may be unduly preferred to the duty of giving every convenience to the public and fair and complete wages in return for the services of those whom it employs.

CHAPTER XVI.

THE EXECUTIVE GOVERNMENT.

Home Office, Colonial Office, India Office, Foreign Office, War Office,
Admiralty, Treasury.

THE Home Office is presided over by the Home Secretary, who is one of the five ministers whose title is His Majesty's Principal Secretaries of State. They are technically the chief means of communication between the subject and the sovereign. We have already said that peers of parliament have the right of free access to the person of the sovereign—as the regular counsellors of the crown. Members of the privy-council also are the sworn advisers of the king, and as such may offer advice to the sovereign either individually or collectively, for which they must hold themselves responsible to parliament. Every citizen has the right to present an address or a petition to the crown, and this may be presented either to the crown in council or to the crown in person. In the latter case the only means an ordinary subject has of approaching the sovereign is through a secretary of state.

A department of the government may be approached directly by any one who wishes to communicate with it. A soldier who has a grievance may complain to the War Office, or a sailor to the Admiralty; a civil servant may address the heads of the Treasury, but the sovereign can only be approached through a secretary, and as a rule all communications of information to the secretary must be countersigned by a secretary of state. The duties of secretary to the sovereign were in early times performed by the chancellor Origin and deve'opment of the office. and his staff of clerks or chaplains. But the business of management gradually increased, and at the end of the twelfth century the business of the exchequer, which had to do with the king's accounts, became separated from the business of the chancellor. In the reign of Henry VII. the king's clerk or secretary became a separate officer.

The king's secretary was at first a member of the royal household, and the holder of the office was sometimes a distinguished person, fit to be a member of the king's council, or to be sent as an envoy to foreign powers. Sometimes he was a more inferior officer who ranked in place and salary with the surgeon and the clerks of the kitchen. Towards the middle of the fifteenth century two secretaries were appointed, a second one being necessary in order to transact the king's business with France. Shortly after this the secretary obtained a position of recognized responsibility as the expounder of the king's will, and at a later time still one of the secretaries became known as the king's secretary. In the reign of Henry VIII. the secretaries had a seat assigned to them by statute in the privy-council. They also had special precedence in parliament. The secretary if a baron sat above other barons; if a bishop, above other bishops; and if he was not a Jew he had a seat on the woolsack.

Under Elizabeth the position of secretary became one of great importance. Sir William Cecil and Sir Robert Cecil both held this office. The latter tells us that whereas all other officers and counsellors of princes have only a particular and prescribed authority, the secretary, out of the singular con-

fidence and affection borne to him by the sovereign, has a liberty to negotiate at discretion, at home and abroad, with friends and enemies, in all matters of speech and intelligence. "A secretary", he says, "hath no warrant, no commission, no, not in matters of his own greatest danger, but must rely on the word and integrity of the sovereign."

From the close of Elizabeth's reign until the year 1794 there were as a rule two secretaries of state, but in the year 1616 there were three. From 1707 to 1746, that is, from the union with Scotland till the close of the Rebellion of 1745, there was a third secretary of state for Scotch affairs; and from 1768 to 1782, that is, from the beginning of the troubles with America to the close of the American war, which ended in the separation of America from England, there was a third secretary for the business of the colonies. From the reign of Henry VIII. the secretaries were the only channels through which the crown could be approached in home and foreign affairs, and the only medium through which the pleasure of the crown was expressed.

The institution of the cabinet, which has been already described, gave new importance to the position of secretary of state. The home, foreign, and colonial business, which had been previously transacted by committees of the privy-council, passed into the hands of the secretaries, and they expressed the king's will in the different departments of the government. Each secretary is responsible for the management of his own department, but he is checked by the collective responsibility of the cabinet. He does not receive the orders of the privy-council, nor does he work under the constant control of the crown, as was the case when the kings presided in person at meetings of the cabinet. Also, in proportion as the secretaries have become responsible to parliament they have increased in importance, because the secretaries have been accepted by parliament, and are supported by a majority in parliament. By these gradual steps the secretary of state has grown from being merely a confidential servant of the sovereign to hold the position of a great executive officer.

The secretaries of state. There are now, as has been said above, five principal secretaries of state, the home, foreign, and colonial secretaries, and the secretaries for war and for India. But constitutionally speaking there is only one secretary of state, for these five ministers are all of co-equal and co-ordinate dignity. They have all full authority to transact each other's business, and they are all equally competent to transact the business with the sovereign which was formerly transacted by the single secretary. Any one of them may be empowered to carry the sovereign's commands at any time to any person. The counter-signature of a secretary of state is necessary, as has been before explained, to give force to the sign-manual of the king, and this counter-signature may be attached by any of the five secretaries.

The secretaries of state were formerly resident in the royal household, and it is still the practice for a secretary to attend the sovereign wherever he goes, although their place is sometimes taken by other ministers. It is also a rule that one of them must always be present in the metropolis. They are all members of the cabinet, and are therefore privy-councillors, and sit either in the House of Commons or House of Lords. The home secretary is by usage selected from the House of Commons, the foreign secretary from the House of Lords, the others may belong to either House.

The work of the five secretaries came gradually into being in the following manner. From the Revolution of 1688 to the close of the American war in 1782 the two principal secretaries were intrusted with what was called the northern and southern departments. The secretaries of the two departments communicated with the north and south of Europe respectively, but the latter had also Irish and colonial business, except when there was a special secretary for the colonies, and also the home office. After 1782 the northern department became the foreign office, and the southern secretary undertook the home office as well as the Irish and colonial business. When we went to war with France in 1792 a special secretary for war was appointed, who in 1801 was charged with the care of

colonial affairs. During the Crimean war in 1854 the care of war was separated from that of the colonies, thus making four secretaries; and in 1858, when the government of India was taken away from the East India Company and placed in the hands of the crown, a special secretary for India was created, thus completing the number of five.

We will now turn to the duties of the separate secretaries, and first to those of the Home Office. The business of the Home Office is arranged in three divisions, each superintended by a chief clerk, and called the Criminal, the Domestic, and the General. But

Duties of the
Home Secre-
tary.

the duties of the Home Secretary may be better classified as consisting of three branches, the expression of the king's pleasure, the maintenance of the king's peace, and the enforcement of rules made for the external well-being of the community. On all occasions

(1) In relation
to the sover-
eign.

when the king's pleasure has to be communicated to an individual or department, unless the matter specially concerns the duties of the other four secretaries, the proper means of communication is through the Home Secretary. The Home Secretary is the first in precedence, and he is brought by his duties into more immediate and personal relations with the crown than the other secretaries. He is the successor and representative of the ancient office of the king's secretary. He

1 notifies important pieces of state intelligence, such as declarations of war, treaties of peace, and births and deaths in the royal family. He is responsible for ceremonials in which the

2 sovereign takes part, and must be present himself. He

3 receives addresses and petitions which are addressed to the king in person, and arranges for their acceptance and for the answer to be made to them. The Home Secretary is the means of communication between the king and the church, either in appointing to livings invested in the crown, or in

4 setting in motion the House of Convocation. As all the duties of the nation which are not specially concerned with foreign countries or the colonies, with military affairs or with India, fall upon the Home Secretary, his work must be very large,

and although much of it is of the nature of everyday business, a good deal of it requires a high discretion.

As the official maintainer of the king's peace the Home Secretary is responsible for the preservation of good order in the metropolis, and, as an adviser, throughout (2) In relation to the peace of the realm. of his prerogative of mercy. He has to control the elements of possible disorder, he has to organize an administration of criminal justice in many of its departments, he has to maintain the efficiency of the police force, and he has to imprison and detain offenders in order to punish or to prevent crime. He also has absolute discretion in the matter of naturalizing aliens, and has charge of the carrying out of the Foreign Enlistment Act. He is allowed a certain sum of money for secret service. He may detain and open letters in the post-office if he suspects danger to the state, but happily this power is seldom used; he may also for the same purpose control the telegraph service, or prevent any subject from leaving the kingdom. He may call out special constables for the preservation of the peace, and the reserve forces of the army for the same object, and in some cases summon the assistance of the navy. He may commit to prison for treason, and give up foreign criminals to justice. There is, however, an important provision that no alleged criminal may be surrendered for a political offence.

With regard to the Court of Criminal Justice, the Home Secretary's power increases as the importance of the court diminishes. He has something to do with the (3) In relation to criminal justice. number of assizes that are to be held. From him comes the right of boroughs to hold Quarter Sessions, and he recommends recorders for appointment. He appoints the stipendiary magistrates of the metropolis. He has a general superintendence over the police of counties, appointing the chief constable and the inspectors, and making changes in the numbers and pay of the force. More particularly he is the responsible head of the Metropolitan Police Force, appoints its chief officers, and determines its duties and payments. He is answerable to parliament for its efficiency and good conduct.

26 The Home Secretary has the complete control and management of all kinds of prisons, both houses of detention and convict prisons. He also is answerable for the proper carrying
27 out of executions by the sheriff. His duties with respect to the prevention of crime bring under his charge both the
28 criminal lunatic and the youthful offender. For these last are provided reformatories and industrial schools.

29 One of the most important powers intrusted to the Home Secretary is that of a Court of Criminal Appeal, in other words he is the dispenser of the royal prerogatives of mercy. This is the right of the sovereign to remit or modify punishment for an offence actually committed, and it may be done by reprieve (that is, by suspending the sentence for a time), commutation (that is, by replacing a severe sentence by one less severe), or pardon. The first two may be done by the act of the secretary of state alone, but the third is not valid unless it is given by the sign-manual of the sovereign, countersigned by the secretary.

30 Besides these specific duties there remains the general care for the internal well-being of the country. From time to time new offices have come into existence, such as the Scotch Office, the Board of Agriculture, and the Local Government Board, which have relieved the Home Secretary of some burdens. But even now many remain. He is responsible for the execution of acts of parliament which
31 are intended to secure health and safety either generally or in special trades. So he has to look after schools of anatomy, and to take care that the surgical examination of living animals is kept within due bounds. He has to see that the rules
32 regulating burials, artisans' dwellings, sewers, nuisances, open spaces within the metropolis, are properly observed, also that
33 lunatics and habitual drunkards are kept under control. He has also to see that the provisions of the Act for the Preservation of Sea-birds are not infringed. He also sees that the
34 provisions of the Education Acts which affect children engaged in mines and factories, in agricultural employments, or in merchant-shipping, are properly regarded. Even if this last group

of duties were removed, the Home Secretary would still remain the chief organ for the expression of the sovereign's will in matters of administration, he would still be responsible for the maintenance of the king's peace, and for the exercise of the prerogative of mercy.

Besides these important duties with regard to England, the Home Secretary has nominally charge of the affairs of Scotch Secretary for land and Ireland. Until the year 1885, Scotch Scotland. business was principally in his hands, assisted by the Lord Advocate, who acted as an under secretary with very extensive powers. In that year, however, a secretary for Scotland was created, not, however, with the rank of a secretary of state, who undertook the charge of carrying out a number of acts relating to Scotland which were previously under the care of the Home Office, the Privy-council, and the Local Government Board. The Scotch Secretary has also charge of Scotch education under the head president of the council.

Ireland, on the other hand, has always had a separate executive. The head of this is a Viceroy, whose official title is "The Lord-Lieutenant General and General Governor of Ireland", who is assisted by an Irish

The executive of Ireland. Privy-council, whose consent is necessary to many things which he does. In theory the viceroy possesses very extensive powers, but he is practically controlled by the ministry for the time being, whose business it is to direct him in his proceedings and to find fault with him if they think he is doing wrong. All communications from the crown to the Lord-lieutenant pass through the Home Office, but the details of Irish government are commanded by a minister who is called the Chief Secretary to the Lord-lieutenant, but who, if he is a cabinet minister, has more power than the Lord-lieutenant himself.

In another part of this book we propose to give an account of the British business which includes the colonies, and that The Colonial Office. will be the proper place to speak in detail of the manner in which our different dependencies are governed. We will now confine ourselves to the Colonial

Office, and the special sphere of the Colonial Secretary. We have already mentioned that in 1794 a third secretary of state was appointed, who came to be known as the Secretary of State for War and the Colonies, and that in 1854 he was relieved of his duties with regard to war. The duty of the Colonial Secretary is to look after the colonies, but we must find out what a colony precisely is. A colony is defined by Act of Parliament to be any part of His Majesty's dominions except the United Kingdom, the Channel Islands, the Isle of Man, and British India. It comprises countries under very different kinds of government. These governments may be divided roughly into four distinct groups, but they have three characteristics in common: first, that parliament may, at its pleasure, pass any legislation for the colonies; next, that the crown possesses a veto, or a power of prohibition, on all colonial legislation; and thirdly, that the crown is represented in every colony by an officer who is at the head of its executive and is called the governor.

The Colonial
Secretary:
his duties.

In the first group of colonies all executive and legislative powers are vested in the governor alone. In the second group there is an executive council to assist the governor, and a legislative council to make laws, but both these councils are nominated either directly or indirectly by the crown. In the third group the executive council is nominated by the crown, but the legislative assembly is either wholly or partially elected. The fourth group of colonies possess what is called responsible government. The executive councils include a cabinet, which, like the English cabinet, represents the majority in the chambers, although there are generally some members of it who do not retire with a retiring ministry. The legislative power is committed to two chambers, one (corresponding to the House of Lords), which is called the Legislative Council or Senate, and the other (corresponding to the House of Commons) called the Legislative Assembly. The higher chamber is sometimes elected, sometimes nominated by the governor with the advice of his executive council.

Classifica-
tion of colo-
nial govern-
ments.

About the supremacy of parliament with regard to all colonies there is no doubt. Parliament may make laws which are binding on any part of the king's dominions, and any act of a colonial legislature which is opposed to an act of the British parliament is, by the nature of the case, null and void. The exercise of the royal veto demands a more particular explanation. No bill of any colonial parliament can become law until it receives the consent of the governor. If he refuses his consent the bill is lost. The governor also has the power of reserving a bill for the consideration of the crown, or of suspending its operations until it has been approved by the crown. Further, even if the governors have given their consent, and the bill has become law, the king may disallow it on the advice of the colonial secretary. Thus the control of the crown over the legislature of the colonies is complete.

² The responsibility of advising the crown with regard to all these matters devolves on the colonial secretary, who has, therefore, no light task. It may be imagined also that a number of questions relating to the colonies are continually arising which do not fall under the heads already mentioned. For instance, in those colonies which do not possess representative assemblies, the duty of supervising colonial finance is important and excessive.

³ The staff of the Colonial Office is very numerous. The practice is to assign each clerk to the business of a particular colony, or set of colonies, so that not only does their government enjoy the advantages of continuity and experience, but the staff of the office enjoy from the first something of individual responsibility.

We have said that the great empire of India stands apart from the colonies, and has an existence of its own. Although ^{The India Office.} India has always been regarded as subject to the undoubted sovereignty of the crown, yet until the year 1858 it was governed to a great extent by the East India Company, by whose exertions it was originally conquered. The King of Great Britain and Ireland is also Emperor of India, and that country is now governed by the crown with

the advice of the secretary of state for India in council. This council is an important body. It consists of fifteen members appointed by the secretary of state. They hold office for ten years. Nine of them must have served or resided in India for ten years within ten years of their appointment, a provision which secures that they shall be acquainted with the actual circumstances of the country which they have to govern. The council must meet at least once a week, but the secretary of state may summon it when he pleases. Every order sent to India must be communicated to the council. The council has the power of voting. In some cases the voice of the majority must prevail, in others the secretary has the power of overruling its voice, but he is obliged to record his reasons for dissent. Much provision is, of course, made for matters which require secrecy or urgency. In certain matters the actions of the secretary and the council have to be sanctioned by parliament. For purposes of convenience the Indian council is formed into eight committees, each of which has control over a particular department.

It will be seen, therefore, that the Secretary of State for India occupies a position which differs from that of any other minister. He is generally responsible to parliament for the administration of that country, and must be prepared to defend his conduct and policy in parliament. But as certain questions have been generally reserved by parliament for decision by a majority of the Indian council, the secretary cannot be responsible if he is overruled in these matters by a majority of the council. Thus executive power of an important kind is given to a body which is not directly represented in parliament. But it must be remembered that an act of parliament may at any moment supersede the decision of the council, and that if it were found that the council was in the habit of setting itself against the feeling of parliament, their power would be very soon abridged. The Secretary of State for India is frequently a member of the House of Lords; in this case he is represented in the House of Commons by an under-secretary.

The Secretary for India: his duties.

The Foreign Office is one of the most important branches of the administration. Although English people as a rule know very little about foreign affairs, and the rise and fall of The Foreign Office. parties seldom turn on a question of foreign policy; still, the history of England has at all times been very largely influenced by its foreign relations. The fact that we are an island and that we are divided from France by what is called "the silver streak" secures us from the danger which is ever at hand in countries which have large frontiers to defend. But the necessity of watching the movements of foreign nations, which has always been important to us, is now much more so when our empire extends over every part of the globe and is washed by every sea.

For a long time in England, as in other countries, foreign affairs were supposed to be the special province of the sovereign.

The sovereign and foreign affairs. They were not only not brought before parliament, but no minister felt himself in a position to withhold the personal wishes of the king with regard to them. This did not come to an end with the Revolution of 1688. William III. was his own foreign minister. He concluded the negotiations for an important treaty, which was concerned with the division of the Spanish monarchy, entirely by himself without the advice or knowledge of a single minister. However, in order to make that treaty valid he had to obtain the counter-signature of a secretary of state and the sanction of the great seal. Lord Somers, who affixed the seal in his capacity of lord chancellor, was impeached for thus blindly complying with the king's will, and the accession of the House of Hanover brought foreign affairs under the same control as the rest of the business of the nation. On two occasions Lord Hardwicke refused to put the great seal to agreements made with other nations by George II. because he thought them disadvantageous to the interests of the country. At the present day foreign affairs are conducted by the foreign secretary and the prime minister, with the knowledge and advice of the sovereign, but with the full responsibility of the minister to parliament.

When the duties of the secretary of state were divided into the northern and southern departments, to the former was assigned the correspondence with Denmark, Flanders, Germany, Holland, Poland, Saxony, Prussia, Russia, and Sweden; and to the latter France, Portugal, Switzerland, Spain, Italy, and Turkey. The two secretaries became distinctively home and foreign in 1782.

The ordinary duties of the Foreign Secretary include those of protecting British subjects abroad, of entertaining their complaints and applications for redress, and obtaining satisfaction for the injuries which they may have sustained. He also has to introduce to the sovereign the representatives of other governments. He has to inform foreign states of all the important acts of his majesty's government which may concern them. He also grants passports to British subjects travelling abroad as certificates of identity and respectability. He selects all ambassadors, ministers, and consuls sent to foreign courts. Also a growing part of his business is to make himself acquainted with the movements of foreign trade, and to give such information to his countrymen as may be useful for their interests. However, from the nature of his duties he stands in a peculiar relation both to the sovereign and to parliament, and these relations demand our special attention.

The Foreign
Secretary:
his duties.

The foreign secretary is technically, like the other ministers, the servant of the sovereign. He communicates with other courts in the name of the sovereign, and expresses himself to them as if he were the mouthpiece of the sovereign's pleasure. Although this is in many respects a mere form, to the ministers of other countries with whom he corresponds it is often a reality. They do act merely as the mouthpiece of their sovereign, and the control of foreign affairs is in their master's hand. It is therefore understood not merely that all important foreign despatches shall be submitted to the sovereign before they are sent, but that the king shall be informed beforehand what line of policy the ministry propose to pursue, in order that he may give his opinion on it before an important step

is taken. The communication to the sovereign is made through the prime minister, who must therefore be consulted on all questions which are likely to lead to serious complications. William Pitt, although he was never foreign minister, was in the habit of writing the most important foreign despatches with his own hand. They were discussed by the cabinet, and were signed by the secretary of state. This close connection between the sovereign and the business of the foreign office does not exist to the same extent with regard to other departments.

Moreover, the foreign minister is not under the control of parliament to the same extent as other ministers. From time

^{The control of foreign affairs.} to time the correspondence between our foreign office and other governments is laid before Parliament,

either in the regular course of things, or because it has been specially asked for, and this correspondence may be the subject of a debate or of minute inquiry. But it may be supposed that some documents of a confidential character are retained unpublished, and that some are not published in their entirety. Besides, in the present day so much is done by private conversations and by the telegraph that the correspondence of the foreign office often does not contain the complete history of a negotiation. Another consideration which distinguishes the conduct of foreign affairs from the other operations of government is that the principle of continuity is adopted. Governments may change, but it is understood that a foreign minister carries on as far as possible the policy of his predecessor, except in cases where it is the clear wish of the nation that a change of ministry shall be accompanied by a change of attitude towards some particular European power.

The secretary of war has control over the army, but his position with regard to it is so complicated that it is necessary to show how he gradually came to have the authority which he at present holds. In 1854 there broke out the last great European war in which England has been engaged. In this war England and France were contending against Russia, and as the struggle was eventually

concentrated in the Crimea it is generally known as the Crimean War. At this period the British army was subject to a number of conflicting jurisdictions. It could hardly be maintained that the existing arrangements conduced to the efficiency of the force, but it was held that by reason of check and countercheck a standing army was rendered less dangerous to the constitution. The army was supposed to be in some special manner subject to the crown, as is usually the case in foreign monarchies, and the authority of the crown was delegated to a commander-in-chief, who was responsible to the sovereign for the discipline of the army, for appointments, promotions, rewards, and punishments. On the other hand, a secretary *at war*, who was not a secretary of state, nor necessarily a member of the cabinet, was responsible to parliament for the money voted to the army. It was also his duty to protect the citizen against any possible encroachment of the military powers, and for the due execution of the Mutiny Act, which was passed every year by parliament. The army at home was under the control of the home secretary, the army abroad was under the secretary for war and the colonies. The fort defences of the country were under the Ordnance Board, which was represented in parliament by the master-general of ordnance; while the commissariat, or the department which controlled the food and supplies of the army, was a branch of the treasury. Thus the soldier was fed by the treasury, and armed by the Board of Ordnance; his movements in Great Britain were controlled by the home secretary, and abroad by the colonial secretary. The secretary at war saw that he was paid. He was flogged by the commander-in-chief, but the secretary at war took care that he was not flogged too much. This curious state of things was due to two circumstances. First, the crown was jealous of retaining the control of the army as part of the royal prerogative; and secondly, the country was reluctant to acknowledge a standing army as a permanent part of the constitution.

Matters are now in a very different condition. The secretary for war has to decide all the political questions con-

nected with the army, the conduct of a war, the despatch of troops at any moment to any part of the dominions of the crown, the relations between the soldier and the citizen, the maintenance of discipline, and the system of promotion and of compulsory retirement. He is also responsible for the fortifications of the country being in a proper state, and for the commissariat taking due care that the army shall be well fed and found. He now has control of the ordnance of the country. He looks after the state factories in which cannon, powder, small-arms, and carriages are made. He has to see that the arming of the soldiers is in accordance with the newest discoveries of science. He is also responsible for the finance of the army and for the expenditure of over twenty millions a year of the public money. It is important that the secretary for war should be a good man of business, but he is not expected to have special military experience or scientific attainments. He can therefore ably carry out these many, various, and important duties with professional help. He also stands in a peculiar relation to the commander-in-chief, who has many duties of his own, but who is subject to the final authority of the secretary of state, as responsible for the exercise of the royal prerogative.

The War Office is now divided into two great branches—the military and the civil. The military side is under the com-

Divisions of the War Office. mander-in-chief, the civil side is under the financial secretary, who has a seat in parliament. The Commander-in-chief is responsible for the command, discipline, and distribution of the army, for its education and

The Commander-in-chief. training, its enlistment and discharge; for what is called the intelligence department, that is, for collecting and rendering information about military affairs, for the appointment and promotion of officers, for feeding, clothing, lodging, arming, and equipping the men, for their

The Financial Secretary. transport by land and water. He prepares the estimates for these services, and generally advises the secretary of state on all military matters. The Financial Secretary examines and then reviews these estimates,

looks after the manufacturing department and the contracts, and advises the secretary of state with regard to financial matters. While these two functionaries are responsible for advising the secretary in their different departments, the secretary is responsible for accepting their advice and for acting upon it.

Every year the secretary for war has to ask parliament to allow a standing army of a certain size, and to vote the money necessary for its maintenance. It generally happens ^{The army estimates.} that the military side makes larger demands for money than are eventually accorded. The estimates are first revised by the financial secretary, then by the cabinet in accordance with the general policy of the government, and lastly by the treasury, whose business we shall see is to enforce economy in all things. But parliament only hears of the estimates after they have passed through these controlling agencies; it does not know the original demands or the grounds on which they have been modified. Such are or were recently the chief arrangements in force in regard to the management of our army, but matters are at present in a transition state, many new proposals having been put forward, and in part adopted, with the view of greater efficiency in the working of the military machine.

The British navy was for many years under the control of an official called the Lord High Admiral, an arrangement which continued with some interruptions for more than ^{The Admiralty Board.} three hundred years. Since 1708 the office has been put into commission, that is, instead of being exercised by one individual its duties are committed to a board. In 1827 the Duke of Clarence, afterwards William IV., was Lord High Admiral, but only held the post for eighteen months. The board now consists of a first lord, four naval lords, one of whom is controller of the navy, a civil lord, a financial and parliamentary secretary appointed by the board, who changes with a change of government, and a permanent secretary who holds his office independent of political changes. The board generally meets once a week, or more often, if it is summoned by the first lord; every order of the board must come from

two or more members. The first lord is always a cabinet minister, and although he is not a secretary of state holds a very important position. He has to answer to the sovereign and to parliament for every detail of admiralty administration. He naturally would not make himself responsible for anything of which he did not approve. Of the two secretaries, the parliamentary has control of finance, estimates, and the purchase and sale of stores; the permanent, for discipline, recommendation for appointments and promotion, and for correspondence generally.

The business of the admiralty falls into four groups, the first of which comprises the manning of the navy, the movements, condition, and organization of the fleet, including the arrangements for coaling and maritime defence. This group is distributed among three of the naval lords, each of whom is responsible for his own particular section. The second group, naval construction, dockyards, ordnance, and stores, is committed to the naval lord, who is controller of the navy. The civil lord has charge of works and of the staff of the civil department, and the financial secretary of finance.

There is naturally a good deal of similarity between the position of the ministers who are respectively at the head of the army and the navy. Each is generally a civilian; each is a cabinet minister and a member of parliament; and each, besides being at the head of a special department, is also much concerned with the general policy of the government. There are naturally many questions in which the interests of both departments are involved, and it is probable that more ought to be done in seeing that the whole work harmoniously together and mutually assist each other. In order to secure this end a committee of the cabinet has been appointed, consisting of the prime minister, the first lord of the treasury, the colonial secretary, and the heads of the army and the navy. Their duty is to deal with matters in which the policy and the expenditure of the two services seem to be jointly concerned.

The last department of the executive government which we have to mention is the Treasury, in some respects the most important of the whole. All public transactions come eventually to be questions of money; therefore the department whose duty it is to supervise all payments of money must eventually exercise a control over all other departments of the state. The Treasury Board represents the ancient office of Lord High Treasurer, just as the Board of Admiralty stands in place of the Lord High Admiral. Since 1714 the office of Treasurer has always been in commission. The board consists of the First Lord of the Treasury, the Chancellor of the Exchequer, and three or four junior lords. For about a hundred and seventy years the First Lord of the Treasury has always been prime minister, with very few exceptions. The board used formerly to meet regularly, and was presided over by the sovereign in person. It is now never called together except on extraordinary occasions. The First Lord of the Treasury has a large extent of patronage, but he takes no part in the duties of the office unless some question arises in the business of the department which the Chancellor of the Exchequer cannot settle by himself. Thus the most important person in connection with the treasury, and the real head of the financial organization of the country, is the Chancellor of the Exchequer, who always combines this office with another which is even more important, that of under treasurer.

It is the duty of the treasury not only to provide the means of meeting the necessary yearly expenditure of the nation for the army, the navy, and the civil service, but also to exercise a certain control and supervision over the amount and details of that expenditure. It has, further, the duty of revising and regulating the internal or domestic expenditure of the other public offices of the state. These duties are performed by two distinct operations, each of which requires the sanction of the House of Commons. First, the House resolves itself into a committee of supply, in order to

determine what sums are necessary for the public service, and to vote them as supplies to the crown for this purpose. Secondly, as a committee of ways and means the House considers and approves the means suggested for raising the sums required by taxation or otherwise.

In the first-mentioned committee, which is held shortly after the meeting of parliament, the Secretary for War and the representative of the admiralty in the House of Commons produce an estimate for the sums required for these services, and at a later period similar estimates are presented for the various branches of the civil service. These estimates are presented on the collective responsibility of the whole cabinet. It is the duty of the Chancellor of the Exchequer carefully to revise the estimates, and to see that they have been framed with a due regard to economy. In the cabinet he sustains his opinion even in opposition to the demands of the services. In order that he may do this efficiently he obtains a statement from the heads of the departments in the autumn of each year, parliament not as a rule meeting till the spring.

When the estimates have thus been determined upon the Chancellor of the Exchequer will next consider how the money is to be provided, and for this purpose he must ascertain whether the prospective income for the ensuing year will cover them, or whether there will be a *deficit*, that is, whether it will fall short of that amount. For this purpose the heads of various departments supply him with estimates of the probable income of the country on the supposition that the taxation remains unchanged. If the estimated revenue is larger than the estimated expenditure there is said to be a *surplus*. But we must remember that the surplus and the deficit are not what they would be in the ordinary course of business, an excess or deficiency on transactions already completed, but an estimated excess or deficiency on receipts and expenditure which are going to take place. If the surplus is considerable the Chancellor of the Exchequer considers what particular taxes may be reduced or abolished altogether.

The accounts of the nation are made up every year to the 31st of March. Before or about this date the Chancellor of the Exchequer brings before parliament what is called ^{The Budget.} the *Budget*. In this he first shows how far the estimates of the preceding year have answered to the estimate given the year before. He then gives a general view of the probable receipt and expenditure of the coming year, and then, according as there is a surplus or a deficit, he announces remission of taxation or the imposition of new taxes, or the contraction of loans. The propositions of the budget are fully discussed by the House, and are then drawn up in the form of resolutions, on which bills may afterwards be framed. In this discussion the House may express its disapproval of the budget as a whole, or may reject any of the resolutions separately, and a defeat of this kind may lead to the resignation of the minister or the fall of the whole cabinet. The same course may be taken with regard to the proposal to meet a deficit. The House is, of course, bound to fulfil its obligations and to pay the debt of the nation, but it may object to the particular method of payment which is proposed. The general theory is that the income of the nation raised in any particular year must be sufficient, but not more than sufficient, to meet the expenses of this year. It is considered contrary to sound policy to lock up money in the treasury, which might with greater profit be left in the pockets of the individual tax-payer.

It will be right now to speak of the various sources from which the revenue of the kingdom is derived. We first mention the crown lands, that is, the produce of estates which belong to the crown, and which date back to a period before the Conquest. The income from these is about £430,000 a year. Up to the accession of George III. this income was enjoyed by the king, and he only received from parliament what was necessary to supplement this source of revenue. But George III. surrendered his interest in the crown lands to parliament for life, receiving in return an income or "civil list" of a fixed amount; and his successors have followed his example. Queen Victoria's

civil list amounted to £385,000, less than the produce of the crown lands, and only half of what was granted to George III. King Edward VII.'s civil list has been settled at £470,000, of which £110,000 is allotted to their majesties' privy purse. Besides this, the revenues of the Duchy of Lancaster are part of the private income of the king, and those of the Duchy of Cornwall of the Prince of Wales. If complaint is made about the cost of the monarchy, it must be remembered that the sum paid to the king out of the taxes is a compensation for the revenues of estates which have belonged to the sovereign for many hundred years, and that these estates are not larger than those possessed by several of his subjects.

It is obviously for the interests of the nation that the royal income should be thus under control, in order that it may not be spent by an unscrupulous sovereign in parliamentary corruption, or in the maintenance of a force which might be dangerous to public liberty.

The largest source of our public revenue is found in the customs and excise, which produce about £60,000,000 a year, *Customs and excise.* more than half the national income. Both these

are examples of what is called indirect taxation, that is, the tax is levied by the government on the producer or the seller, the amount paid by them being included in the price of the article. When we buy tobacco at a shop we pay more highly for it, because a large sum of money has been already paid upon it to the government. In buying a pound of tea we are really paying something towards the expenses of the state, but we do not always think of this, nor do we calculate how much it is. On the other hand, a man who pays income-tax knows what he is contributing to the public revenues, this being a form of direct taxation. Customs duties in Britain are now almost entirely duties on imports, that is, they are paid on goods as they enter the country from abroad. For practical purposes the number of articles which contribute substantially to the revenue by custom duties are five—spirits, tea, sugar, tobacco, and wine. Tobacco brings in between eight and nine millions a year.

Excise properly means a tax on commodities made or prepared in the United Kingdom. In former days, when people were in the habit of making articles subject to excise in their own homes, the exciseman was very unpopular, as he may be now in Ireland and Scotland. Everyone who brewed a peck of malt was subject to his domestic visit, in order to see that the beer which resulted paid its proper contribution. But in England most of these articles are manufactured in public places on a large scale, so that the operations of excise do not touch the ordinary citizen. But under the head of excise also appear a number of licenses, for the grant of which money has to be paid to the exchequer. With these licenses most of us are familiar. Sometimes they are licenses to sell commodities or to carry on a trade. Sometimes they are licenses to enjoy certain things of convenience and luxury, such as the keeping of a male servant, the keeping of a carriage, the use of armorial bearings, or the keeping of dogs.

Another important source of revenue is the stamp-duty, the meaning of which is not very obvious at first. Customs and excise force a citizen to contribute to the revenue whenever he buys or uses certain things. The income-tax forces him to contribute a certain proportion of his income. In one case he pays in proportion to his expensive habits; in the other, in proportion to his actual wealth. But it is also held, that if a man succeeds to an estate in money or lands he should pay something to the state at the moment of succession for the right to succeed; and this tax, levied on property as it devolves by inheritance or bequest from one person to another, may be conveniently levied by means of stamps. It is a direct tax levied in a particular way. It is obvious that some of the taxes now levied under the head of excise might, if it were found more convenient, be levied by stamps. The stamp-duties fall into two distinct groups: they are either taxes on legal transactions which require a stamp of a certain value to render them valid; or they are taxes of a miscellaneous character imposed on persons or property, which it is more easy to collect by a stamp than by any other means.

The largest part of the revenue derived from stamps comes from the stamps on deeds and legal documents of various kinds, and on receipts. Certain taxes formerly included among the stamp duties are now classed in a section known as the estate duties or "death duties", the most important of which ^{Estate} has been levied only since 1894. This consists in a tax ^{duties.} charged upon the whole property left by any person at his death, the charge being so much per cent, and the rate per cent being the higher the greater the value of the estate, eight per cent being the highest and one the lowest rate.

A most important source of revenue is in the income-tax, which is levied, at so many pennies in the pound, on rents and ^{Income-tax.} profits arising from property in land, or from the use or occupation of land; or from investments in any funds, English or foreign; or on the profits of a profession, trade, or occupation; or from employment by the state, or in any corporation or company. Its existence has given rise to much controversy. Some authorities would abolish it altogether, some would make it the only means of taxation, some would levy it in such a way as to make it progressive in proportion as a man's income becomes larger. The great advantage of it is that we are enabled by it to pay any extraordinary expenses which may have been incurred within the current year.

Another source of income which has already been mentioned ^{Post-office.} is that derived from the Post-office and Telegraph Service, which are government monopolies.

The revenue thus enumerated is collected by four great departments: the Customs, the Inland Revenue, the Post-office, and the Commissioners of Woods and Forests, who <sup>The revenue-
collecting
departments.</sup> have charge of the crown lands. Every sum received by these departments is paid to the account of the exchequer at the Bank of England, and forms what is called the Consolidated Fund. From this fund nothing is paid except by authority of parliament. This authority is of two kinds, one of a permanent character, and the other <sup>The Consoli-
dated Fund.</sup> depending upon the will of parliament from year to year. About three-fifths of the whole annual expenditure

is made under the express direction of acts of parliament, and does not therefore require a special vote. The interest on the national debt, the expenses of the civil list, the expenses of the courts of justice, and many other minor charges are imposed by permanent statute on the consolidated fund. But with regard to the remaining expenditure—the maintenance of the naval and military forces, the expenses of the collectors of revenue, the charges of the various branches of the civil service—no payments can be made except on the authority of express parliamentary votes for that particular year. This is done as follows:—We have already heard of the proceedings of a committee of supply. The resolutions of that committee affirm certain expenditure to be reasonable or necessary, but do not provide the means of making it. That is done by a committee of ways and means, which carries resolutions for grants out of the consolidated fund, “towards making good the supply granted to his majesty”; but this grant never equals the amount of votes which have been already passed in committee of supply. Finally, every year there is passed what is called the Appropriation Act, which recites all the sums already granted by the committee of ways and means, and which secures that the sums granted for and appropriated by the Commons for any special service are to be applied by the executive powers only to defray the expense of that service. Thus we see that before public money can be spent there must first be a vote for certain expenditure in committee of supply; there must then be a ways-and-means bill, or several of them, authorizing the payment of such sums from the consolidated fund; and lastly, an Appropriation Act securing that all sums voted shall be spent for the particular service for which they are voted and for no other.

Besides these large functions of controlling the annual national expenditure, the Treasury has the duty of scrutinizing, checking, and confining within due, and sometimes very narrow limits, the expenditure of the various departments of the government in the minutest details. A constant and minute supervision is exercised by

Other duties
of the
Treasury.

the Lords of the Treasury over all the pecuniary incidents of the management of the various public offices. A minister of the Treasury is required for the sanction of any changes in their working staff which may involve expense, and any important action they may take in these respects is brought before parliament.

From what we have said above, it will be seen that the Treasury as at present constituted has two sides, a political ^{The Treasury staff.} and a financial; the political side being represented by the First Lord and the junior lords, and the financial by the Chancellor of the Exchequer. Each of these great officers has a parliamentary secretary. The Patronage Secretary is the subordinate of the First Lord, and assists him in the distribution of the patronage of the Treasury, which is at present very scant, and also acts as the chief government "whip" to keep a majority for the government in and out of parliament. The Financial Secretary is the subordinate of the Chancellor of the Exchequer. There is also a permanent secretary, who does not sit in parliament and whose duty it is to supervise the daily work of the Treasury. It is obvious that to perform properly the large duties of supervision that belong to the office he must be assisted by a very able and active staff.

CHAPTER XVII.

THE DUTIES OF CITIZENS IN RELATION TO LOCAL AND CENTRAL GOVERNMENT.

IN this chapter we wish to consider what are the duties of a citizen with regard to the working of the machine of government which we have described, and the first duty ^{Relations between executive and nation.} which presents itself to us is that of voting. It has been already explained that popular government is of two kinds, direct and indirect. In some parts of Europe there are states of such a size that it is possible to assemble

all the inhabitants together and to take their opinion upon matters which concern them. In this case measures have generally been discussed and prepared by officials or committees, but in their final state they are openly discussed, and are accepted or rejected by the votes of the whole, generally by show of hands. Where the state is too large for all the inhabitants to come together the machinery of representation has to be adopted, that is, certain persons are chosen by secret or open voting to represent the community, and they have the duty of fully discussing a measure and of saying yes or no to it. In a populous country like England almost all government is representative in this sense.

In Switzerland, notwithstanding the large number of the inhabitants, there is a form of direct popular government which has not as yet been adopted elsewhere. This is ^{The} *referendum* from its being a reference to ^{referendum} the whole body of the citizens. A law which has been already passed by the parliament may in certain cases be referred to the popular vote, which is given by secret voting papers on a certain day throughout the whole of the confederation. The people may even introduce laws on their own *initiative*, as it is called, and they are voted upon just as if they had been first submitted to the legislature.

Little need be said upon the duty of voting on all these occasions. The object of the vote is to ascertain the will of the people. If a number of voters abstain from voting ^{The duty of} *voting*. the final decision is untrustworthy. It is probable that the most violent partisans on either side will give their votes, whereas those who are most likely to abstain are the moderate men, and it is often the opinion of these moderate people which it is most desirable to know. It is sometimes urged that absolute equality of voting is a substantial injustice, and that persons of wealth, or large land property, or of acknowledged intelligence, ought to have a greater weight than the poor and the ignorant. A reason against adopting a system of plural voting, that is, of giving some people more votes than others, is that it is difficult to find a ready and easy test of

wealth and intelligence, and also that wealth and intelligence are certain to have weight in any case. For the first, it is more difficult to invent safeguards against wealth having too much weight than to prevent it from having too little; and for the second, most people who give votes are anxious to give them fairly, and they will naturally take what means lie in their power of ascertaining the opinions of the most intelligent people they know.

Votes may be open or secret; the secret vote is generally known as the vote by ballot. Secret voting for members of parliament was only established in England in ^{The ballot.} 1872. It would seem at first sight that all voting ought to be open. A man who has honestly made up his mind on a political or other similar question should be no more ashamed of declaring his conviction publicly than a man should be ashamed of declaring his creed by attending a particular place of worship. The ballot depends upon the principle that a man will either refuse to give any information as to how he has voted, or that he will give an evasive or false answer if he is questioned upon it. He is certain to be questioned, because the machinery of election as in present use includes the preparation of elaborate canvass books in which the manner in which each elector intends to vote is written down. Few candidates for parliament but find that the number of votes actually given them falls far short of the number promised them. But so many of the voters are exposed to influence of one kind and another, consisting, if not of direct bribery and intimidation, of indirect influence brought upon them, that it has come to be considered actually necessary, at least at present, to secure entire secrecy of voting. It is now secured that the vote given is absolutely secret; no one can possibly tell how an elector has voted unless by the confession of the voter. It would perhaps be well if canvassing were also made illegal, and then the ballot would lose some of its most objectionable features.

Votes for parliament are given at polling places fixed conveniently as to numbers and situation by the local authorities,

very often in a school-room or a town-hall. The poll commences at eight in the morning, and continues without interruption till eight in the evening. A voter properly qualified and placed in the register, on entering the ^{The mode of} election. polling place receives a paper with the names of the candidates printed on it. As has been already explained, he goes into a small compartment, places a mark, generally a cross, against the name of the candidate for whom he wishes to vote, folds the paper up, and places it thus folded in a closed box with a slit in it. At the conclusion of the poll the boxes are all sent to the central place of election, where they are emptied in presence of the returning officer, and the votes are counted in his presence. The poll is then declared.

It must be remembered that a vote, for whatever purpose it is given, whether for town council or county council, for parish council or for parliament, is a trust as well as a right, and that the object of it is lost if it be ^{Duty of independent judgment.} not honestly given. Although the questions laid before electors are often complicated and difficult, yet a voter has ample opportunity of learning everything about them on both sides. Meetings are held before every election, in which the case is fully stated and opportunity given for asking questions. It is desirable that a voter should attend the meetings of the party opposed to his own wishes in order that he may learn what is to be said on the other side. Also, political and social questions are fully debated in newspapers, which are now so cheap as to be within the reach of every one. A man should avoid being the slave of one newspaper only, but should take care to acquaint himself with the best arguments against his own side.

In England, politics, and unhappily many other things, are ruled by party, and an opinion is often expressed that it would be better if parties were extinct, and if persons of ^{Party government.} all opinions would combine for the welfare and the prosperity of the state. But there are many advantages in party which compensate for its evils. It is not likely, as human nature is constituted, that the mass of people will pre-

serve such judicial minds as to calmly weigh the arguments for and against measures, and duly apportion the good and the evil. If party were extinct one of two things would occur, either there would ensue a cold indifference on some of the most important matters which can occupy the human intelligence, or the ties which bind political combinations together would be founded on personal attachments and not on principle. Party in its essence is based upon an underlying principle. Government is a compromise between authority and liberty; too strict an enforcement of authority leads to despotism, too wide a relaxation of liberty leads to anarchy. The two great English parties, while they agree about many things, differ as to the comparative value which they attach to one or the other of these forces. Party is found in all vigorous political communities. The dangers of party arise either when the indifference of the mass leaves party to be carried on by professional politicians, or when its violence leads to the employment of means in party conflict which tend to degrade both those who use them and the cause which they support. The good citizen should remember that party is elevated when wise men take part in its conflicts, and that no cause is so sacred and so absorbing that its opponents have nothing to say on the other side.

Most of us are familiar with the tax-gatherer. None of the operations of government which we have described can be carried on without expense. The central government is generally paid for by taxes, and the local government by rates. It will be seen from what has been said above that the public expenditure of the country, so far as it is provided for out of the taxes, is well under control, but this is not always the case with local taxation. Rates are imposed by a number of different bodies, each having their own estimates and their own balance-sheet. It is probable that in many cases more money is raised than is actually required, and therefore the burden is unnecessarily large. Also, it has been said that it is the aim and ambition of almost every local authority in the country in the present day to get into debt,

and these accumulated debts form a heavy burden which the government does not sufficiently control. Still, although a case may be made out for the concentration of local burdens, yet there can be no doubt that the carrying out of improvements by public money is a necessity, and is cheaper in the long run than allowing everything to be done by private enterprise.

Rates and taxes are payments made by all for the good of all. It is necessary in a well-governed country that there should be a good system of law. For this we must have a staff of judges, convenient law-courts, and many other things, all of which cost a great deal of money. Probably no one goes to law if he can help it, yet there has never yet been a civilized country in which judges and lawyers were not required, and probably the higher the civilization the greater the amount of the law in exercise. It is therefore necessary that we should pay for this although we do not directly use it ourselves. Similarly, we must keep up at a very great expense an army and navy for our defence, although comparatively few of us are soldiers or sailors, and none of us wish to go to war. Also, in towns and villages streets and roads must be made and repaired, drains must be constructed and kept in order, a staff of policemen must be maintained to prevent crime and disturbance. All these things must be paid for by public money. It is indeed probable that as civilization advances greater advantages will be found to arise from men clubbing together for a common purpose, or from using the machinery of government to do things which everybody wants. Suppose that in a manufacturing town where a great deal of mechanical power is needed, there is a rushing river which, if properly used, will supply force enough to set all the machines in the town in motion. It might be an economy for the town at the public expense to create once for all a great reservoir of force upon which citizens might draw as they required it rather than that each individual should provide his store of force for himself. Therefore we should not grudge the payment of rates and taxes, but we should take care that they are properly spent, and that there is no

Necessity of taxation.

waste. It might happen in a town where the citizens were too much busied about their own private affairs that money would be collected for public uses, but spent for the private advantage of those who collected it. Improvements might be paid for several times over, but not carried out. To prevent abuses of this kind public spirit and watchfulness are required, and also a good standard of public morality.

Similarly, although it has been shown that enactments for the promotion of public health have done a great deal of good, ^{Duties of the} individual. and that the care of the health of the community of the government, yet that does not relieve every individual citizen from the duty of contributing to this end as far as he can. The advantages of good air and pure water are every year better understood. In modern houses it is much easier to have these things than it used to be. Many overworked people desiring rest seek it in the high mountain valleys of Central Europe. Under a clear invigorating sky, with green meadows and rushing streams, it is difficult to imagine that disease can exist. Picturesque cottages painted with bright colours and decorated with flowers look like bowers of radiant health. Yet a doctor will tell you that tiny windows unopened from year to year, large manure heaps encompassing the house, open fires with no escape for the smoke, afflict the villagers with much illness, although the greater part of their lives is spent in vigorous exercise in the open air. The large country houses, which are the ornament of our own and other lands, were in former days often little better than temples of the winds, and their possessors huddled into small apartments to escape the cold, leaving their gorgeous halls for luxury and show. It is now possible to obtain everywhere the warmth and fresh air which seem at first opposed to each other. Physicians tell us that even the most delicate are better for fresh air even in a cold climate. To make use of these advantages to the full is a benefit both to ourselves and to our neighbours.

With these precautions disease will be less frequent, but if

it comes we must deal with it not merely with a view to our own advantage, but to the good of the community. All contagious or infectious diseases should be isolated at once or sent to a special hospital. Every-
Duties and
precautions
with regard
to health.thing connected with the patient should be disinfected according to the principles which modern science has at its command. A healthy district is a great benefit to all who live in it, as it contributes not only to long life, but to the increased efficiency of those who are comparatively well and strong. All districts cannot of course be equally healthy by nature. Difference of soil and situation must have their effect. But a naturally less healthy district may be vastly improved by care, and the healthiest may be ruined by neglect.

Above everything we should strive in all our towns to secure sufficient parks and open spaces, both as reservoirs of fresh air and playgrounds for the people. This is much better understood as the years go on. There was a time when there was too much waste ground in England, and when acts of parliament were passed to inclose it and make it serviceable for the sustenance of man. The danger now lies in the other direction, and we should rather be watchful not to permit our open spaces to be built over. A park is more necessary to a community than it is to a rich man. England has been famous for its wide pleasant domains surrounding the houses of wealthy landowners. It may in the future be equally distinguished for the public parks which are accessible to the hard-worked dwellers in the towns. But these once obtained it is necessary to take care of them. Many private owners close their parks to the public because so much injury is done by trampling the grass, plucking the flowers, and destroying the trees. Children should be taught from their earliest years the duty of respecting and caring for all open spaces which are thus devoted to the public enjoyment.

Importance
of parks and
open spaces.

An increasing amount of public money is now spent every year in education. The care of elementary education is regarded as the province of the state, and the time is perhaps not

far distant when the other branches of education may be similarly organized. This, however, does not relieve parents from the responsibility which attaches to them in the education of their children. There is probably no investment of public or private money which brings in so ample a return as that spent on education. There are some countries in Europe which can only maintain a small proportion of their population, say one-fifth. How can this be remedied? The surplus inhabitants must be maintained at the cost of the prosperous, the whole community must live on the verge of starvation, or a check must be placed on marriages destructive of morality and happiness. But if the whole population receives an education which will fit them to get their living outside their own country the problem is solved. Those who are most fitted for it stay at home and till the soil; the others, knowing perhaps two or three languages beside their own, well trained in commerce, good men of business and book-keepers, will find in some less crowded part of the world a place where they may not only make their living but may amass wealth, returning perhaps in their old age to their own country to be centres of beneficence to their kinsmen. Also, manufactories will maintain a far larger population than agriculture. There are some high valleys in the Alps, close under the perpetual snows, where the use of water-power enables the whole population to live, where formerly only a very few could exist; but without education the means of utilizing these forces could never have been obtained. Also, education is directly conducive to morality by supplying a rational employment for hours of leisure, and preventing them from being spent in vice or self-indulgence. It is of course a bad thing if education indisposes a man to do that work which he is called to do in the world. It would be a calamity if all labourers wanted to be artisans, or all artisans clerks. No worker, however humble, is the worse for being educated, and no educated worker will think any honest occupation degrading. Such being the advantages of education, parents should co-operate with the state in seeing that their children take full advantage

Duties in
regard to
education.

of what the state offers them. Instead of conniving at absence from school, and the invention of excuses, they should insist on regularity of attendance; they should send their children to school at the proper hours, dressed neatly and tidily; they should enforce at home the behaviour which they should wish them to observe at school; they should see that they do their home lessons thoroughly, and that they take proper care of their books and other instruments of education. In this way the education of the children will be also an education to the parents. They will live their school-days over again in the career of their offspring—the children will be a double blessing to their home. So, in a similar way, children when they are old enough to think for themselves should learn to make full use of the advantages of the school, and fit themselves to become capable and useful citizens.

It is a great mistake to make children leave school too early. Both children and parents are apt to be over-anxious that practical life should be begun, and that boys and girls should "be doing something for themselves". A few more years spent at school are of far greater advantage than an early start in life. It would be well if, in England, no child was allowed to leave school until the age of fifteen or even later. This is the case in some countries, to the great advantage of the community. But it is not likely that children will remain at school unless they feel that what they are learning will fit them to get a living. Distrust of education in this country is to some extent due to the fact that education has not been wisely directed. New experiments and departures are generally attended by mistakes. Much, however, has been done lately by training the observation and the hand as well as the memory and the mind. Technical education, as it is called, is directed to this end. Its aim is not so much to teach a trade as the principles which underlie trades, to educate the sight and the touch, to stimulate the intellect through the operation of the senses. There are many persons whose minds cannot embrace an abstract idea who will understand it thoroughly when they have first learnt its practical application.

A heap of cannon-balls is correctly piled according to mathematical formula. A young soldier may be unable to learn the formula out of a book, but set him to pile the balls in competition with his companions and he will acquire the formula so as not to be left behind in the practical task. Also there is no danger that technical education, if carried too far, will injure trade. There are certain things the supply of which creates the demand for them. If every article of ordinary life could be made artistically beautiful, the more objects of this kind were produced at a cheap rate, the more they would be sought after. Japan sends us few objects of indispensable use, but the trade with Japan in objects of artistic beauty increases every year.

Only a very small proportion of the whole community complete their education at the University, but it should be made easy for any child to go there who is likely to profit by it, whatever may have been his station in life. A good educational system will provide ladders by which any citizen, whatever his birth, may climb from the lowest position to the highest. But every one should remember that his education after all depends upon himself. Schools and Universities can do much, but the individual can do more. Education may continue through the whole of life, and there have been many masters of science who have taught themselves the most valuable things they knew.

We have learnt what the state does for the care of the poor, and the assistance it gives in encouraging thrift. In a well-ordered

Duties in regard to the poor. community there need not be any paupers at all, that is, there need be no poor for whom the com-

munity has to make public provision. Every one would wish to see a state of things in which all should have work to do which would not only keep them while in health, but which would enable them to put by enough for the support of their families, and for themselves when they were unable to work either from sickness or from old age. At the same time, there must always be some who cannot work, either from some defect of body or defect of mind. Still, amongst the well-to-

do classes the number of them is not so large that the community has to provide for them.

In the village of Chamouni, under the shadow of Mont Blanc, the highest mountain in Europe, there was some thirty years ago only one pauper, and he was boarded round by the peasants, who took it in turn to support him. However, experience teaches us that in large cities there must be a large class of paupers, and this consists not so much of those who cannot, as of those who will not work. There are many who from their earliest years have never done an honest day's work, and have at length become so weak-minded that they are incapable of doing it. It is to be feared that we shall never extinguish this class entirely, but we may reclaim some who belong to it, and may prevent others from falling into it. Nor is it possible, or even desirable, to secure the equal distribution of wealth. It may be doubted whether a community in which every one had exactly the same fortune would be a happy one, and the possibility of acquiring more wealth than others is a great stimulus to exertion. Still, most people will admit, that at present the extremes both of wealth and poverty are too great, and that it is desirable to help on all legislation and every social movement which is likely to encourage the equal opportunity of acquiring wealth, and to lessen the inequalities of position. Nevertheless we must allow that superior talents, industry, skill, and energy should have their fair advantage in the battle of life. Most of all can be done by ^{Importance} _{of thrift.} encouraging habits of prudence and thrift from the earliest years, and by making every child understand that a primary duty is to be self-dependent, to earn his own living, and to use such forethought as will not make him dependent upon others. Post-office savings-banks, the operations of which have been already explained, offer a ready means of doing this. There are few children who have not at some time a spare penny with which they can buy a postage stamp and stick it on to a form which can be obtained at any office. The child who has thus saved a shilling will probably go on to save a pound, and it is easy so to invest the money that it is not only safe, but

brings in a yearly return to its possessor. At the same time there are dangers even in thrift; we must learn to think of others besides ourselves, and we must guard against the narrow and parsimonious habit of mind that values the money which is saved above the many good things which the money will purchase if wisely spent.

We have explained at some length the operations of the law, and the care which it takes of the lives, property, and character of the citizen. But here again a duty of Duties in regard to our right action is incumbent upon all without regard neighbours. to legal compulsion. It is said that a man's house is his castle, that is, a man's house and property are protected by the law from the attacks of others. But if there were no one to attack, there would be no need of law to defend, and each citizen should be careful to assist the law in this respect by showing the greatest consideration for the persons and the property of others. Indeed, there are some things, often quite as valuable as material property, which the law can only imperfectly protect. It can do something to prevent a man's character from being taken away, or a man being unduly persecuted for his opinions. Still, it cannot put a stop to all slander, and persecution for unpopular opinions is so subtle in its operations that the law can scarcely reach it without putting too severe a restriction on individual liberty. It is therefore the duty of every worthy citizen to assist the law in this respect, and to take care that neither the character nor the opinions of any individual are assailed. The law takes great pains to punish fraud. But much fraud goes on which is never found out, and much which never meets with its due recompense. In this also we should assist the law by taking care that we never commit fraud ourselves, and that by example and precept and by every other means in our power we prevent fraud within the circle of our influence. The law also punishes riot and disturbance, but it is the duty of every citizen to prevent the necessity of the law intervening in this respect. The law does not as a rule intervene until harm has been already done, and the intervention of the law itself is

sometimes the cause of mischief at first. Nothing, therefore, is more important than that good citizens should strive at all times to behave well and peaceably towards each other.

Another manner in which we can assist the law is by cheerfully complying with what the law demands, even if the compliance is very inconvenient to ourselves. If, indeed, our conscience forbids us to do what the law enjoins, and we are certain after the fullest consideration that we are in the right, it may be our duty to disobey the law which we believe to be unjust, if we are prepared at the same time to suffer the full penalty for disobedience. This may be the only means of calling attention to the existence of an unjust law and of securing its repeal. Thus for a long time the sect of Quakers refused to pay compulsory church-rates. Their property was seized and they were often sent to prison, until at last the law was repealed. But cases of this kind are rare. Disobedience to the law or the want of cheerful compliance with it generally comes from laziness or ignorance, or the imperfect understanding of the question. In these cases every good citizen should readily comply with the law himself, and as far as possible secure the compliance of others. Let us take some examples. It is part of the law that all births, deaths, and marriages should be registered. The importance of this is so generally acknowledged that few are found to neglect it. Still, cases may occur from ignorance or slackness where advice is needed on this point. A more difficult case is the duty of giving notice of infectious diseases to the proper authority. This is an obvious duty in cases where it is enjoined by law, but it is so easy to evade that it should be a matter of conscience with all to assist the operation of a rule so conducive to public health, and even to the life of the community. There are other cases where the law is not compulsory upon all, but where it may be put into force. Such are the laws for prevention of cruelty to children and animals. Here it may not be our duty to put the law into action in every case if the proper results may be attained without it. At the same time every citizen should make himself acquainted with the laws

Duties in
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the law.

that exist with regard to these matters—first, in order that he may make use of them himself in serious cases if need be, and secondly, that he may make known their existence to others, and so deter them from crimes which no mere advice could prevent. Cruelty to children needs no argument to condemn it, and cruelty to animals, if persisted in, will soon lead to cruelty towards human beings.

Besides the specific duties attaching to good citizens which we have dealt with above, there are also general principles which need to be kept in view in order that a country may be in a condition of sound political health. In a free self-governed country the one supreme force is that of public opinion. Free governments rest upon the principle that the mass of the people is the best judge of its own interests, and that in important matters of policy it is more likely to be right than any particular class of it, however well educated and well informed. It has often been argued that whatever is best administered is best. It is said that governing is a very difficult and complicated task, and that those only can perform it well who have undergone a special training for the task, and have leisure to give their minds to it; that persons who are raised above party and material considerations are more likely to be unbiassed than those whose lives are spent in the venture of making a living by grinding toil; and that if self-interest is to be a guide to right action, the interests of those are first to be considered who have the largest stake in the prosperity of the country to which they belong. This opinion has even taken the extreme form that the best government is that of a benevolent despot surrounded by a staff of workers who are specially acquainted with the various details of administration. Experience, however, shows that, except in a few peculiar cases, this theory breaks down in practice; that the possession of despotic power warps the judgment and corrupts the will, and that no class of men can be found whose patriotism is not liable to be distorted by personal considerations frequently of a very sordid nature.

All England has definitely adopted the system of popular

government, that is, of administering the state by the people and for the people. Under a constitution of this kind a statesman, however good, has no power except what is given him by public opinion. If a new question arises, as, for instance, imperial federation, statesmen of all opinions will say to its advocates, first educate public opinion, take measures to rouse public interest, to get a definite expression of the popular will on your side, it will then be our duty to see how the change can be carried out in practice.

So important is it to keep this in view that it may be doubted whether a prominent statesman, even when he has made up his mind that a particular change is desirable, is justified in giving expression to his views. He may fear lest he should stir up, before the proper time has arrived for expressing it, the force of the popular will which can alone enable him to carry out his ideas, and which forms the only secure basis for legislation of a novel kind. If he possesses great personal authority he may command the assent of a majority, which is given to his own individual influence, and does not represent independent conviction. In this case the change which is brought about by his force of will and character will not be lasting, and will probably do more harm than good. In our own day two great nations have been brought into being by the determination and energy of two statesmen, Italy by Cavour and Germany by Bismarck. But the permanence and security of these two countries depend not only on the wisdom and foresight of the statesmen who created them, but upon the reality of the public opinion which gave the impulse to their creation.

If this be the case, a good citizen should endeavour to make up his own mind upon important questions, and be ready to express his judgment clearly and decisively whenever he is called upon to do so. For the formation of a public opinion of this kind freedom in speech and writing is essential. England has been described as "a land where, girt by friends or foes, a man may speak the thing he will". We should all take care that this quality of our country remains unimpaired. Many opinions

Duties in
regard to
public
questions.

now generally accepted were regarded in the first utterance as the ideas of either very foolish or very wicked people, and in some cases only a few years suffice to change what seemed absurd into what appears so obvious as to be scarcely worth stating. At the same time, while according great latitude and respect to the opinions of others, we should take care not to express our own views too crudely or roughly. There is so much to be said for and against most changes that a too confident assertion is seldom right. Besides, the consideration for others, which leads to respect what they say, should guard us against needlessly offending their feelings and prejudices. This is especially the case in religious matters, with regard to which the very essence of religion itself bids us to respect the creed of others, however much it may differ from our own, if only it be held sincerely. There are times when openness of speech is a duty in the face of all opposition, but causes are more often injured by intemperate advocacy than assisted by over-strong language.

Inseparably connected with popular government are the right and the practice of holding public meetings. There are places

^{Public meetings.} in Europe where six men cannot meet at the corner of a street to talk without being liable to dispersion.

If any serious check were placed upon public meetings in England, either as to holding them or as to the speeches made in them, we might indeed feel that our liberties were in danger. Englishmen are allowed to hold meetings when and where they please, and to pass any resolutions they wish. At the same time every good citizen should take care that meetings are well conducted. In every meeting there is a chairman, who should possess absolute control over the course of business, and be the sole judge of order. From his ruling there should be no appeal unless he prefers of his own motion to take the opinions of the meeting on a question rather than decide it himself. At most meetings one or more resolutions are carried. The chairman of the meeting usually makes an address; then the proposers, seconders, and supporters of the resolution are called upon to speak, and the resolution is carried or rejected by show of hands.

Speeches should not be interrupted, but allowed to continue to the end. A good chairman will allow an opponent to speak, provided he does so at the proper time. He will even allow a hostile amendment to be proposed and put to the meeting, provided it is done in an orderly manner. In the case of elections, where a vote of confidence is proposed in the candidate who is present, he generally speaks after the chairman, and then the proposer of the motion. In this case also questions are generally put to the candidate before the motion is put; but the chairman may if he pleases insist that they shall be in writing. It has sometimes been found a convenient practice for a candidate to ask for questions at the beginning of the meeting and to make his speech in answer to them. This ensures that the topics he chooses are those about which his audience is most anxious to be informed. Meetings generally consist of one party only, and it would probably be difficult in practice to hold public meetings composed of opposing elements with a free debate on both sides of the question. At the same time it is highly desirable that citizens should attend meetings of the party opposed to their own. Only in this case they should be careful and temperate in expressing dissent from what they do not agree with, and in no case should they create disturbance. To attempt to break up a meeting is not only wrong but foolish; it is certain to lead to retaliation, and it destroys the very purpose for which public meetings exist.

Although administrative bodies have been carefully chosen, and represent the wit and intelligence of the people, it does not follow that they should be left without criticism and control. It is right that those who have elected them should express their opinions upon their actions. This is best done by the agency of the press. Most communities of any size have a local press which records all the doings of representative bodies, and it is right that their doings should be the subject of public comment. Indeed watchfulness over all matters of public interest is a symptom of political health. It must never be forgotten that the active co-operation of the whole body of the people is essential to good government and

Importance
of the press.

freedom in a country like our own. The greatest danger that can befall us is indifference to public affairs. States are ruined

Necessity for
the co-opera-
tion of the
people.

in many ways, or rather many are the signs of the decadence of a state. One of these is want of respect for the government. It is difficult to

say what produces respect for a particular form of government. Respect is hard to produce to order; it sometimes survives when the reasons for it have disappeared. But it is a most precious possession.

It is generally admitted that legislation is better performed by two chambers than by one. Of two chambers, that which represents the body of the people is sure to be respected, but it is not easy to obtain a second chamber which will have sufficient authority to control the first. In the abstract, there is not much to be said in favour of a second chamber based on the principle of inheritance. But if a body of hereditary legislators commands more respect in a country than a chamber chosen in any other way, it would be unwise to alter it. Want of respect is followed by indifference; the citizen neither knows nor cares to know who governs him. Ministers may succeed so rapidly, and may differ in so little, except in the degree of their personal ambition, that the people cannot keep pace with the changes. Then comes a reign of faction, in which the place of party based on definite political knowledge is taken by knots of men bound together by personal connection, seeking power for their own advantage. A country in such a state cannot secure the happiness or prosperity of its citizens, and cannot secure a dignified or efficient voice in the counsels of the world. One of the best means of preventing this indifference from arising is that each citizen should be willing

Individual to take his share in the work of government and duties. administration, whether of his country or of his parish, whether it be paid or unpaid. It is a characteristic of England that much of the most important work in the country is done by men whose wealth and position would enable them to follow their own desires in life, but who spend laborious days for the public good without revenue at the sacrifice of

leisure or health. Cabinets and parliaments have always been full of such men, and probably every town in England has citizens to show who have set in these ways a bright example of public spirit. A good citizen will not regard the attainment of a position of this kind as an end in itself, but he will do his best to fit himself for it before the occasion comes, and when he is called upon to devote himself to the service of his fellows he will not refuse the duty.

CHAPTER XVIII.

THE EMPIRE.

WHAT we have hitherto said about the government of our country and the duty of citizens with regard to it relates almost entirely to the United Kingdom of Great Britain and Ireland. In treating of the colonial office and the India office we made some mention of the manner of governing our dependencies, but the subject is so important that it deserves separate treatment. Englishmen have received as their inheritance not only a British Kingdom but a British Empire. The first of these is comparatively small, The British Empire: its extent. as it contains only a hundred and twenty-one thousand square miles, not much more than New Zealand, whereas the second comprises only a little less than one-fifth of the whole land surface of the globe, and is inhabited by a little more than one-fifth of the population of the world so far as we are able to calculate it. This empire has come into our possession in various ways, it contains every kind of climate, and is inhabited by almost every kind of race. It also presents many different varieties of government, as has been already shown. But all the inhabitants of this empire are subjects of the same sovereign, and all use one common flag, the well-known Union Jack, although each country has, besides, an ensign of its own.

To ask why we should care to have an empire, and what good does it do to us, are questions too complicated and difficult to answer fully now. But something may be said about them. In the first place, England is a great trading country, and its prosperity would be much diminished if it did not find markets for its produce in all quarters of the world. It is more easy to transact business with countries under the same flag as ourselves than with countries under foreign domination. Again, Great Britain produces more people than it can find room, food, or occupation for, and large numbers of men, women, and children leave our shores every year to settle in other countries. Many of them go to countries which are not connected with us, but it will easily be seen that it is an advantage for an Englishman who emigrates not to lose his nationality, but to continue to live as a subject of the king. Again, the English race is so constituted as to be able to live without loss of health or vigour in many quarters of the globe, and also, like the Romans of old, Englishmen are specially fitted to explore and to colonize, and to direct the efforts of nations who are less civilized than themselves. If we recall to our minds the families with which we are acquainted we shall find there are few which have not some members in various parts of our empire, in Australia, Canada, India, or Africa. This diversity of interests is greatly beneficial to us as a nation. It serves to keep us healthy and active in mind, it increases our self-respect and conduces to public morality, it prevents us from becoming narrow-minded and self-seeking, and from sinking into that slough of idleness and vice which is the sure receptacle of the lazy—as every Englishman must feel in some degree the dignity of the responsibility which attaches to him. The consciousness of being a member of a great empire instead of a petty kingdom at once stimulates him to seek employment for his higher qualities, and tends to bring those higher qualities into existence.

Passing from the advantages of the possession of an empire like our own, let us consider in a bird's-eye view of what

countries our empire consists. We will first take the great Dominion of Canada. It occupies the northern half of North America, stretching from latitude 42 to some distance within the polar circle, and has an area of 3,470,257 square miles, exclusive of the great lakes. It has a population of over five millions. Great part of it formerly belonged to the French, and even now some of its towns, like Quebec, have a French aspect, and a large number of Canadians speak French as their mother tongue.

Bird's-eye view of the empire.

Canada.

Canada was lost by the French when the nation became weakened by the badness of its government, and its loss teaches us a lesson as to how empires become dismembered. Canada enjoys larger privileges of self-government than any of our dependencies. Also, in 1867, the different provinces were organized into a great confederation under the title of the Dominion of Canada, with Ottawa as the seat of government. A federation is the most complicated form of government known in civilized communities. The essence of it is that there are in every part of the country two governments and two sovereignties. There is a central government with certain powers over the states which comprise the federation, while each separate state is supreme over its own affairs within certain limits. The United States of America is the most remarkable example of a federal government, while Switzerland offers to us a specimen of a similar government in Europe.

Canada extends the whole way from the Atlantic Ocean to the Pacific. There is a railway right across the territory from one coast to the other, and it is also possible to traverse the whole breadth of the Dominion by passing through a combination of rivers and lakes. The Dominion is made up of seven provinces. First come the maritime provinces of Nova Scotia, New Brunswick, and Prince Edward Island, the first two of which were known to the French by the name of Acadia. Their chief industry is fishing, and they also contain harbours which are not closed by ice during the winter. Halifax, the capital of Nova Scotia, is a regular station for British troops, and its magnificent harbour is frequently occupied by British

men-of-war. The third province, Quebec, which is drained by the great river St. Lawrence, contains, besides the city of the same name, the great city of Montreal, the largest in the Dominion. Montreal is the great seat of maritime commerce, and from it are sent the grain, the cheeses, the cattle, the sheep, and the apples which help to feed us in England. These products come very largely from the fifth province, Ontario, itself considerably larger than the whole of the United Kingdom, and bordered by four great lakes which separate it from the United States, Ontario, Erie, Huron, and Superior. In this province are the famous falls of Niagara, one bank of the river being Canada, and the other America. The capital of Ontario is Toronto, the seat of a famous university.

The sixth province, Manitoba, contains an area of sixty thousand square miles. The soil is a rich black loam. It supplies enormous quantities of wheat, and contains the inland sea of Lake Winnipeg, which gives its name to the capital. The last province is that of British Columbia, which stretches along the coast of the Pacific. Its geographical position is very important, jutting out from North America as Great Britain juts out from Europe. It consists mainly of range after range of mountains inclosing fertile valleys in their folds. The climate and products are very various. The sea and the rivers abound in fish, trees grow to the height of three hundred feet, and the mines of undiscovered wealth are concealed in the hills. The capital of British Columbia is Victoria, on Vancouver Island. Besides these provinces, there is the wide stretch of the North-Western Territories, as yet imperfectly explored and settled, consisting mainly of prairie land, which extends from Manitoba to the Rocky Mountains. There is also the region of Hudson Bay, which is one of the greatest fur supplies of the world.

Steamships on their way to Canada pass close by the island of Newfoundland, which lies across the mouth of the Gulf of St. Lawrence. It has belonged to England for more than three hundred years. In size it is half-way between England and Ireland. Owing to the mistakes of statesmen in former years and to imperfect knowledge of the

country, certain rights of drying and curing fish on a portion of the coast were given to France; this has occasioned disputes between the two countries, and may do so again. It has also hindered the full development of the resources of the island. Its prosperity depends almost entirely on the cod fishery; the fish being caught in enormous numbers, salted, dried, and exported chiefly to Roman Catholic countries to be eaten on Fridays and other fast days. In some parts of the island salmon and partridges are so common that servants make a stipulation on being hired that they shall not be forced to eat them more than a certain number of times in the week.

Newfoundland does not as yet belong to the Dominion of Canada, but it may do so at a later period. The United States of America once belonged to England, but they declared their independence more than a hundred years ago owing to a quarrel about taxation, in which most people now think that we were in the wrong. The history of this dispute, which does not belong to our subject, should always be a lesson to us as to the treatment of dependencies. If we sail southward from Nova Scotia we shall come to a group of islands called the The Ber-
mudas. Bermudas, which were first occupied by some ship-wrecked English sailors at the beginning of the seventeenth century. These islands enjoy one of the most delicious climates in the world. It is temperate in summer, and there is no frost in winter. The islands are strongly fortified, and contain a floating dock which will hold the largest ironclad. The group consists of no less than three hundred and sixty islands.

Proceeding further south we come to what are called the West Indies, a very misleading title. Christopher Columbus sailed away from Spain to the west in the year The West
Indies. 1492 expecting to discover India. These islands were the first land he reached, and he believed them to be part of the Indian coast. The name having once been given has never been changed. By far the larger number of the West Indian islands belong to Britain, and others are possessed by the United States, France, Holland, and Denmark. The area of the two chief islands, Cuba and Porto Rico, is

larger than that of all the islands which we hold. The heat in these islands is very great, and consequently they used to be cultivated by black slaves who could endure the climate. Slavery is now abolished, but the ground is still tilled by free negroes and by "coolies", or workmen imported from the East Indies. The proportion of white inhabitants to black is small, and is gradually getting smaller; indeed, those of British blood are not more than a tenth part of the whole. We get from the West Indies a number of products which will only grow in tropical countries, such as sugar, coffee, cocoa, tobacco, cotton, ginger, cloves, rice, arrow-root, and tapioca, as well as bananas and pine-apples. Many of these things are almost necessities of life to us, and when we consume them we should remember where they come from.

The West Indian colonies are divided for purposes of government into six groups. The first of these is called the Bahamas, and consists of about twenty inhabited islands and an immense number of islets and rocks. The climate is very good. They were originally settled by England, and have never passed out of our hands. One of these islands, called St. Salvador, was the first land of the New World discovered by Columbus. The second group is Jamaica and its dependencies. It is the largest of the British West Indian islands, and possesses so lofty a range of mountains that it is easy to find in it every variety of climate. The third group is that of the Leeward Islands, which form a sort of federation under the largest island, Antigua. Barbadoes stands by itself. It is about twenty-one miles long and fourteen broad, and is entirely devoted to the growth of the sugar-cane. The Windward Islands form a fifth group, while the sixth and last is formed by Trinidad and Tobago. Trinidad is second in size to Jamaica, and is rich in sugar, cocoa, and coffee.

This island of Jamaica is not far from the coast of Central America, on which is situated the colony of British Honduras. It produces mahogany and logwood, one of which is used for furniture and the other for a dye. On the coast of South America lies the colony of British

Central and
South
America.

Guiana, which is nearly as large as the United Kingdom. Its chief product is sugar, which is grown upon the coast, but the wealth of the inland districts has been very imperfectly explored. Far away to the south lie the Falkland Islands, which are the most southern inhabited British dependency: they contain rich pastures, which feed abundance of sheep.

If we now in imagination go round Cape Horn and turn to the north-west we shall come to the Fiji Islands, the largest English possession in what is called Polynesia, that is, the group of many islands. Fiji has only belonged to England for about thirty years, and within the memory of men now living the inhabitants were cannibals—that is, they used to feed upon human flesh. They have fuzzy hair sticking out all over their head. The climate is hot, but is made bearable by the sea breezes, and Englishmen can live there with comfort. The products are very like those of the West Indies, the principal of them being sugar. From Fiji also we get tea, coffee, cotton, maize, and cocoa-nuts.

There are also two other islands in the Pacific, the names of which are often heard in English homes. One of these is Pitcairn Island, which lies between Cape Horn and Fiji. It is very small, being only two miles long and less than a mile broad; but it derives its interest from a peculiar circumstance. More than a hundred years ago the sailors of a ship called *The Bounty* mutinied and killed most of their officers. All trace of the crew was lost for some time, when it was discovered that the mutineers, after taking to themselves native wives, had established an English community in Pitcairn Island. As the population was becoming too large for the soil, they were transferred to Norfolk Island, which lies south-west of Fiji. But many of them longed for the old home, and have been taken back again. Norfolk Island is also the principal seat of the Melanesian Mission, the object of which is to convert the dusky inhabitants of these distant shores to Christianity.

These islands we have just mentioned are very hot, being in what is called the torrid zone, but as we go further south the climate becomes colder, the south pole of the world being, as

you probably know, as cold and icy as the north pole. In this temperate region, due south of Fiji, and almost beneath the feet of Englishmen, lies the beautiful colony of New Zealand. New Zealand, consisting of two large islands, the North and the Middle Islands, and a small island called Stewart Island. It is often called the Britain of the South, from its position, its climate, and its products. It is nearly as large as Great Britain and Ireland. When it was first discovered the inhabitants were cannibals, and there were no animals in the country which could be eaten for food, but now most well-known English animals have been introduced and are found to thrive, as well as English flowers and fruits, so that an English traveller in New Zealand may easily imagine that he is in his own country. There are also comparatively few foreigners among the settlers, and the islands were colonized from the first upon a plan which provided that all classes of English society should be represented among the settlers. As for its products, we are all of us familiar with New Zealand mutton, which comes from carcasses of sheep kept in a frozen state after they are slaughtered until they are delivered to the English shops. The sheep are fed on the wild plains of the Middle Island, where the climate is so mild that the sheep require no protection in the winter. Beef also comes from it, as well as wheat and dairy produce.

The scenery of New Zealand is extremely beautiful. Although it so nearly resembles that of England, yet there is in the Middle Island a range of snow-capped mountains almost as high as the Alps. Sailors coming from England are sometimes tempted to desert from their ships by the attractions of the lovely scenery, but they soon find out their mistake, and have to be taken back in a starving condition.

North-west of New Zealand lies the great colony of Australasia, consisting of Australia and Tasmania. Australia is by far the largest island in the world, being, indeed, Australasia. only a little smaller than the whole of Europe. It belongs entirely to Great Britain, although it is twenty-five times as large as our own islands. Australasia is the most im-

portant section of the British Empire after Canada. Australasia is divided into six provinces or states, each of which has a separate government. From these has been formed the Commonwealth of Australia, with a central government, like the federated Dominion of Canada. The oldest colony in Australia is New South Wales, and two others, Victoria and Queensland, were separated from it at a later period. Even now it is six times larger than England. The capital of it is Sydney, which has a population of nearly half a million.

By far the largest product of Australia is wool. Although sheep were not introduced into it till the beginning of last century, there are now nearly a hundred millions of them in the island. Unfortunately rabbits have also been introduced, and have multiplied so rapidly as to become a pest which it is extremely difficult to keep under.

Victoria, the capital of which is Melbourne, is about as large as England and Scotland put together. One of the most important products of this colony is gold. Queensland, another offshoot of New South Wales, is an enormous province, more than five times as large as the United Kingdom. It stretches far up to the north into the torrid zone. The capital is Brisbane, situated near the southern border. In Queensland are the famous Darling Downs, which produce wheat, barley, and oats; in the northern parts tropical fruits luxuriate. In this part of Australia huge herds of cattle are fed upon the pastures. There are also rich gold mines. South Australia, whose capital is Adelaide, comprises a territory as large as France, Germany, Austria, and Italy put together, and Western Australia is larger still. The capital of the latter is Perth. Western Australia has rapidly increased in population in recent years, owing to the discovery and working of rich gold mines. The remaining province or state of the Commonwealth is Tasmania, a lovely island separated from Australia by a strait two hundred miles wide in its narrowest part. For a long time it used to be known as Van Diemen's Land. As it lies to the south, the climate is much more temperate than that of the great northern island, and it is spoken of as an earthly paradise. The native race

has entirely died out, so that it is inhabited by Europeans alone. At present its best known product is fruit, and especially apples. In Australasia and New Zealand the seasons are exactly contrary to our own. Christmas day falls in the hottest weather, and our midsummer is their midwinter. Fresh fruit therefore comes to us from these parts just at the time when we should not be able to furnish it. It also has the best sheep in the world and gold mines as well. But from what has been said it will be seen that Australia is as yet very sparsely inhabited, and that its resources have not been at all completely developed, or its capacities ascertained.

We must now consider the possessions of Great Britain in the great continent of Africa, and first Cape Colony, situated at the extreme south. This has only belonged to **South Africa**. England since 1814, when it was ceded to us by the Dutch. At the present moment a large number of British subjects in Cape Colony are of Dutch origin, and Dutch is as freely used in conjunction with English as French is in Canada. It is also remarkable that in Cape Colony the native races rather increase than diminish under British rule, and at the present moment there are more than twice as many Kaffirs and other coloured people there as there are white men.

The products of South Africa are very similar to those of Australia: the most important of them are wool, gold, and diamonds. Ostrich farming for the supply of ostrich feathers is an industry peculiar to this part of the world. Passing northward from the Cape of Good Hope and crossing the Orange we reach the country of the diamond mines, the principal town of which is Kimberley. Diamonds have always been held in value, and the discovery of these new supplies of them does not seem to have diminished the favour with which they are regarded, although since the mines have been opened more than ninety millions of pounds worth of diamonds have been added to the stock of the world. On the south-east coast of Africa is the colony of Natal, divided by its physical characteristics into three belts, each with a different series of products. The coast possesses the characteristics of the tropics, and gives

us sugar, tea, coffee, rice, tobacco, cotton, and pine-apples; in the middle regions are found crops of English grain; and on the higher lands of the interior are reared sheep and cattle. To the north of Cape Colony lies Bechuanaland, part of which is included in Cape Colony and part under British protection; between Cape Colony and Natal is Basutoland, a country fitted to produce cattle and grain. Zululand is also a British possession at present attached to Natal. The Transvaal and the Orange River Colony were till recently independent republics. The battles by which we won these countries for Britain are still fresh in our recollection.

Africa is still far from being completely explored, but our knowledge of it is rapidly extending. The opening up of extensive regions has been undertaken by great trading companies, of which three deserve special ^{The African} trading com-
mencement. These are, first, the Royal Niger Com-
pany, which acquired control over a large territory on the lower course of that river. It obtains from the interior ivory, palm-oil, feathers, and gold dust. The country in which the company operates is now known as Nigeria, and is under the rule of officials appointed by the home government. The East Africa Company had its seat on the east coast from Mombasa northwards and inland to the great lakes and the Nile. This region now forms British East Africa. The territory of the South Africa Company lies north of the Transvaal, and extends far beyond the Zambesi. It is divided into two main divisions, Northern and Southern Rhodesia. To the east of Northern Rhodesia is British Central Africa, under an administrator of its own. Long lines of railway have been laid in South Africa, so that one can easily travel from Cape Town to the Zambesi. Other possessions of ours in Africa are situated on the west coast. These are Sierra Leone, first established to receive liberated negro slaves, and now an important coaling station for our fleet; Gambia, to the north, which was once a great station for the slave trade; and the Gold Coast, which stretches along the northern shore of the Gulf of Guinea for about 350 miles. The colony of Lagos, an island lying close to Southern

Nigeria, comprises a considerable tract of country stretching inland. The city of Lagos is a busy seat of commerce, and is the most flourishing place on the west coast of Africa. It is also the starting-point of a railway to important inland towns.

We cannot leave the mainland of Africa without speaking of Egypt. This country, fertilized by the overflowing of the Nile, is governed by a native viceroy or khedive, Egypt. who is technically the subject of the sultan at Constantinople. As he is not able to keep order in his own country, and serious British interests are at stake there, for the last twenty years Egypt has been occupied by a force of British troops, and many of the important posts in the government are held by British officials. England has not established a protectorate over the country, and has indeed promised to retire as soon as the Egyptians are capable of managing their own affairs free from foreign interference. At present, however, Egypt has much of the outward appearance of a British dependency, and it is impossible to predict what its position may be in the future.

Africa is just now the most important part of the earth's surface which remains to be filled by colonization, and other countries besides our own are eager to take their share of it. In consequence of this nearly the whole of it has been parcelled out by treaties into what are called "spheres of influence", that is, each nation is allowed, in accordance with the terms of the treaty, to do what it likes within the defined limits. Before the country is entirely subjected to civilizing influences it is probable that the boundaries of these spheres will be greatly modified. Up to the present time Englishmen have shown themselves more fitted than French, Germans, or Italians to found and preserve an empire in distant countries, with its strange and barbarous inhabitants, in a climate little suited for European life.

Belonging to Africa, but at some distance from the coast, are two islands of interest to Englishmen because they lie on the track of ships going from Plymouth to Cape Town. The

first of these is St. Helena, which has belonged to us for more than two hundred years. It is very small, being about a third of the size of the Isle of Wight. It is chiefly famous as the place where the great emperor Napoleon was kept in prison after the battle of Waterloo, and where he died and was buried until his bones were removed to Paris. The other is the island of Ascension, which was occupied by us in 1815 in order that we might keep a more efficient guard over Napoleon. It is regarded as a deposit of stores for the navy, and is therefore under the control of the Admiralty. It is chiefly notable as the home of the turtle, which are caught here in large numbers.

Let us now leave these distant regions and come nearer home. Most of those who read this book will have had no experience of a European war. Our last war of this kind was with Russia, and is called the Crimean war, because the fortunes of it ultimately turned on the result of battles fought in the Crimea, a peninsula far away in the Black Sea. This war lasted from 1854 to 1856, but we have had none which involved us in conflict with France, Spain, or Italy since the conclusion of the Great Peace in 1815. If a war of this nature should break out again, which is not impossible, the Mediterranean Sea would be of great importance to us, because large portions of these three countries are washed by its waters, and as we are more powerful as a naval than as a military power, the stress of conflict is likely to be in these parts. We have, therefore, always felt it to be desirable to keep possessions in that sea. The first of these is Gibraltar, a huge rock, towering 1400 feet above the level of the sea, at the southern extremity of Spain. It has a large garrison, and is very strongly fortified. Besides being a place of arms, it is of great service to us as a coaling station for our fleet. It guards the mouth of the Mediterranean, as the Spanish and African coasts here approach very nearly to each other, and all ships entering from the Atlantic have to pass close by it. In ancient times the two headlands which guard the entrance were known as the pillars of Her-

cules, and the great Spanish emperor, Charles V., represented them on his coins with the legend "plus ultra", "beyond them", implying that he had been the first to disregard this barrier.

The other is the island of Malta, which is situated in the very centre of Mediterranean traffic, being in the direct course

^{Malta.} between Africa and Sicily, and between Gibraltar and Port Said.

This island is the chief station for our Mediterranean fleet. It is strongly fortified, and is well supplied with all necessities of war. As it formerly belonged to a religious fighting order called the Knights of St. John and not to Italy, our possession of it need not rouse the jealousy of that power, although its inhabitants are chiefly Italian. At one time we also held a protectorate over the Ionian Islands on the west coast of Greece, but some forty

^{Cyprus.} years ago we surrendered them to that kingdom.

We now have possession of the island of Cyprus, far away to the east about two hundred miles from Port Said. It has not up to the present time been of any great use to us, and we pay the Sultan of Turkey nearly a hundred thousand pounds a year for the possession of it.

Port Said, which we have mentioned several times, is at the northern end of the Suez Canal, which leads from the Medi-

^{The Suez} terranean to the Red Sea. The canal was made

^{Canal.} principally by French enterprise, but it is of more advantage to us than to the other nations of Europe, and above three-fourths of the ships that pass through it belong to Great Britain. It was originally regarded as the shortest road to India, but it brings us much nearer also to our Australian colonies, and is indeed the great highway between the West and the East. Our interest in the canal naturally makes us anxious for the security of Egypt, and is one of the main reasons for our occupation of that country, of which we have

^{Aden.} already spoken. Passing down the Red Sea we

come to Aden, also a British possession. The land which incloses the harbour is composed of hard barren volcanic rock. Very little rain falls at Aden, sometimes none at

all for several years together, and a supply of water has to be kept in huge tanks. It is a most important coaling station, and conducts a flourishing trade both with Arabia and Africa. Annexed to Aden are the islands of Perim and Socotra.

We now come to our great dependency of India, the proper description of which would require a volume to itself. The possession of India affects us very largely in every way. It makes us to a certain extent a Mohammedan power, that is, as we rule over so many Mohammedans in India, we must be careful not to offend other Mohammedan potentates, such as the Sultan of Turkey. Also, as India is coveted by other nations and especially by Russia, we are on its account mixed up with European politics, and have constantly to consider how our actions are likely to affect our possession of it. Still, the empire of India is to Englishmen a great and glorious trust. It has come to us from our ancestors; in it we have been able to show how we may rule over inferior races with justice, wisdom, and magnanimity. It has been the theatre of many scenes of heroism, and of the exhibition of many of the best virtues of the British character. It has also served as a nursery for soldiers and statesmen. The surrender of India is not to be thought of for a moment, it is our duty to hand it on to our descendants if possible more prosperous than when we received it.

India contains two hundred and ninety millions of people, a number almost too great for our imagination to compass. It is fully one-sixth of the population of the whole globe, and is more than seven times as large as the population of the British Isles, while the size of the country is more than eleven times that of our own. At the same time these enormous masses are governed by only a small handful of white men, there being only one European to every two thousand natives. The reason why we are able to effect this is because the population of India is divided mainly into Hindoos and Mohammedans, who detest each other. If our controlling hand were removed they would cut each other's throats—we are able to keep the peace between them and to govern and legislate for the benefit of both.

It is remarkable that the French held at one time a strong position in India, and a hundred and fifty years ago there seemed a probability of India becoming French rather than English. But the same French mismanagement that gave us Canada also secured to us the Empire of India. As already stated, India used to be governed by a great company similar to those which are still at work in Africa, but armed with larger military and administrative powers. After the great Mutiny of the native troops or Sepoys, the direct government was assumed by the British crown, and the King of England is now Emperor of India.

A very short description of India must suffice for our present purpose. It is ruled by a Viceroy or Governor-General appointed by the crown, and is divided into several great provinces or divisions, the chief being Bengal, Bombay, Madras, the Punjab, and the United Provinces, with Burmah farther to the east. India proper forms a great peninsula bounded by the Arabian Sea, the Indian Ocean, and the Bay of Bengal, and limited on the north by the huge wall of the Himalaya Mountains, rising in some places to the height of nearly thirty thousand feet, or nearly twice the height of Mont Blanc. From these mountains flow three enormous rivers, the Indus to the west, and the Ganges and Brahmapootra to the east. Under the slopes of these hills lie the great river plains, including the Punjab, or the district of the five rivers, so called from five large rivers which flow into the Indus. In this region are the United Provinces. The southern part of the peninsula is called the Deccan. It consists chiefly of table-lands, and contains the two great capitals of Bombay on the western and Madras on the eastern side. The capital of India and the seat of the government, Calcutta, is on one of the mouths of the Ganges, and the valley of this mighty stream also contains the historic towns of Delhi, Cawnpore, Lucknow, and Benares, the last the sacred city of the Hindoos.

Although India is of such importance to us, the climate is not suited for the permanent residence of Europeans. Children especially have to be sent to Europe at an early age,

because if they remain in the country too long they grow up weak and sickly. Far away to the north of Calcutta, on the slopes of the Himalayas is the territory of Assam, well known in England as the home of English tea-planters. Tea, until quite recently, was exclusively associated with China, but the teas of India and Ceylon now occupy a far more important place in the market.

The gradual growth of India may be set down to some extent to ambition and covetousness, but it is difficult for any European nation to occupy the territory of a less civilized community without extending its borders. Frontier disputes arise which can only be put an end to by the appropriation of new territory, otherwise the new cloth frets the old garment and the rent is made worse. Besides this the great motive power in the acquisition of our empire has been the enterprise of trade. English traders force themselves into the regions lying near to our rule — we are powerless to prevent their advance and we are obliged to assume the responsibilities of government not only for their protection but for the defence of the natives. In this manner we were led not very long ago to annex Upper Burmah, so that Burmah, Upper and Lower, now forms the largest province belonging to British India. The country exports enormous quantities of rice. It has the most famous ruby mines in the world, and an abundance of other treasures. The chief towns of Burmah are Rangoon and Mandalay, "where the flying fishes play, and the dawn comes up like thunder out of China across the bay".

Another dependency of India, geographically, is the island of Ceylon, which is, however, governed by the colonial office. It is one of the loveliest places in the world, and has often inspired the imagination of poets. It was long regarded as the chief source of our supply of coffee, but it is now better known for its tea, the trade in which in a few years has reached very large proportions. It is also favourable to the growth of the chinchona tree, introduced from South America, from which is derived the valuable medicine quinine. Rice also and the cocoa-nut feed a large

portion of the population and leave enough to spare for exportation. Its mountains are rich in rubies and sapphires and its seas in pearls. Colombo, the capital, has a good harbour and is an important coaling station. It may be imagined from what has been said that our trade with India is of enormous importance; we are so accustomed to it that we do not think of it. A former governor-general of India once told the merchants of London that if a serious disaster overtook our Indian empire, or if our political relations with Hindostan were even partially disturbed, there is not a cottage in England, at least in the manufacturing districts, which would not be made to feel the disastrous consequences of such an intolerable calamity.

We have now nearly come to the end of our enumeration of the component parts of the Empire; but we must make the

Other
Eastern
possessions. tale more complete. In the Bay of Bengal are the Andaman and Nicobar Islands, both used as convict stations.

Passing on to the south-east we come to what are called the Straits Settlements, from their neighbourhood to the Straits of Malacca. The most important is the island of Singapore, ceded to us in 1824. It is a free port, and is one of the great centres of the trade of the world. Farther to the north are the island of Penang and the settlement of Malacca, which is part of the Malay peninsula. The north part of the large island of Borneo is managed by a British company; the territory of Sarawak to the south is ruled by an English "rajab"; and Brunei between is under British protection. The island of Hong Kong on the coast of China, with part of the mainland, forms a British colony. It is the head-quarters of our China squadron, and a centre of the China trade. Mauritius in the Indian Ocean, an island to the east of Madagascar, was conquered by us from the French in 1810, and still contains, like Canada, a large French population. It produces little else but sugar. The list ends with New Guinea, a large and imperfectly known island to the north of Australia, which has been divided between ourselves, the Germans, and the Dutch, British New Guinea being separated from Queensland by Torres Strait.

CHAPTER XIX.

THE RELATIONS OF ENGLISHMEN TO THE EMPIRE AND TO FOREIGN COUNTRIES.

THE close connection of interest between ourselves and our colonies is a matter of such importance that it deserves a close examination. Mr. Parkin, in his valuable book on Imperial Federation, brings before us the following considerations. The proprietor of a woollen mill in Yorkshire or in the south of Scotland receives bales of wool from foreign parts, he puts it through all the various processes of washing, combing, spinning, weaving, dyeing, and pressing, and then exposes the finished cloth for sale. Any check in the supply of the raw material, even for a few weeks, would leave his machinery idle, would throw his workmen out of employment, would go far to ruin him and the people who depend upon him. He therefore watches day by day anything which is likely to affect this in Sydney, Melbourne, or New Zealand.

Commercial
importance
of the
colonies.

In the same way the squatter in Australia and New Zealand has his hundred thousand sheep, his shearing and wool sheds, his paddocks enclosed with wire fencing, his horses, his shepherds, his shearers. He is in dread of drought, or of ruin from rabbits. He watches the price of wool in the London markets and the demands for it at Leeds, Halifax, or Huddersfield. If he is cut off from the English markets for a few months his workmen are unpaid and he becomes bankrupt. He and every person he employs are directly dependent upon the condition of things in the mother country. Similarly, the great ships which carry on communication between England and the Antipodes depend upon the flourishing condition of the wool trade abroad and the cloth trade at home. Unless the products of one country can be carried safely to the other the whole system comes to an end, therefore the interests of the producer, the manufacturer, and the carriers are intimately bound up together, and the same thing is true not only of wool

but of the supplies of corn and meat which the colonies are constantly sending to us.

Besides this there are many other lines of connection. The emigrant to colonial shores does not cease to be an Englishman. Every year it becomes easier for him to maintain the tie; ocean travelling, postage, telegraphs are constantly becoming cheaper. Colonial papers are full of English news. English books are the staple of a colonist's education. Great movements for religious, scientific, or philanthropic purposes are not confined to England, but extend themselves to the other side of the globe. Australian riflemen compete at Bisley, Australian cricketers at Lord's. Not only do the colonies care for Great Britain, but for various reasons they are getting every year to care more for each other. It is therefore not unnatural that statesmen should consider whether it would not be desirable to place all our colonies, or at least the principal of them, under a more centralized form of government, giving at once freedom of action to the several parts, but securing their co-operation in the well-being of the whole. This idea is generally known as Imperial Federation. It can probably only come about in a distant future, but it is well to keep it before our minds.

In our account of the colonial office we have already said something about the varieties of colonial government. The

Forms of principal self-governing colonies are Canada, Australia, New Zealand, Newfoundland, Cape Colony, government. and Natal. They have elected parliaments or legislatures, which make their laws, settle their taxes, and decide upon the spending of public money. The king is at the head of this government as he is at the head of ours, and is represented by a governor whom he appoints.

Another class is formed by the colonies with representative institutions. In these the legislators are partly elected by the people, and partly appointed by the crown, while the public officers are entirely so appointed, and are controlled by the home government. Examples of this class are Malta, Guiana, and the West Indian Islands.

A third class is formed by the crown colonies, in which both the legislators and the public officers are appointed from home. It has been usual for us gradually to extend to the colonies the privileges of self-government, and if any of them were admitted to be parts of a federated empire this would probably also be carried out by degrees.

Besides the colonial office and the India office, which have been already described, there is another important link between the colonies and the mother country. All self-governing colonies send to England some of their ablest men to represent them, who are called high commissioners, or agents-general. They consult with the ministers of the crown about the affairs of the colonies, give information about the colonies to emigrants and others, and transact the public business of the colonies in Great Britain. The existence of these agents-general, whose work becomes every year more important, might be a means of introducing something of a federal system by giving them some recognized place in the government of the empire.

We must also consider the connection of the colonies with the necessary defence of our empire and our commerce. It has been said that the furthest distance to which a fully equipped man-of-war can be sent from England for active purposes is two thousand miles. The world we live in is twenty-five thousand miles round. It is clear therefore that every part of it cannot be reached by men-of-war direct from England. We must have intermediate stations for coaling, repairs, and the supply of the munitions of war, and these stations must be strongly fortified. This cannot be the case unless the places belong to us, therefore if we are to maintain our supremacy as a maritime and a trading nation we must have possessions, that is, colonies, in different parts of the world. At present the expense of defending the empire, with the exception of India, is borne by this country. But it is a serious question whether the colonies themselves ought not to contribute to this defence, either by payment of money, or by the maintenance of an army and navy which

Representatives of the colonies in England.

Imperial defence.

would be an integral part of the forces of the British empire. The establishment of a system of this kind would be the beginning of the Imperial Federation of which we have spoken.

We do not always realize how much England depends for its very existence on foreign countries, and especially on the colonies, and what a change has taken place in this respect in recent years. It is estimated that sixty years ago one-third of the working population of England were agricultural labourers and one-third artisans, whereas now only one-eighth are agricultural labourers and three-fourths are artisans. England, it is said, has become the workshop of the world. These artisans must live, and the soil of England does not supply enough for their maintenance. About three-fourths of the wheat used for our annual consumption is imported, and this has to be brought from Canada, India, Australia, and New Zealand, as well as from other countries. It is said also that the supply of meat in England is only sufficient for three months' consumption, and that the rest must be brought us from outside. We pay annually for food brought from abroad no less a sum than a hundred and fifty millions of pounds. If these islands were so effectually blockaded that no food from outside could reach us, in six weeks we should feel want, and in six months we should starve. The same reasoning applies to the raw material upon which our artisans depend, a great portion of which, as has been seen, is derived from the colonies. It is therefore necessary for our national security not only that we should remain master of the seas, but that we should keep a large portion of the sources from which we draw food and raw material as part of the national dominions.

One of the most important conditions for efficient defence is sure and unbroken communication with every part of the world—this would be impossible in time of war unless the lines of telegraph ran over our own dominions. A foreign nation, either hostile itself or in alliance with our enemies, could easily cut the connecting

*Importance
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lines. At present there is a continuous line of telegraph from London to Vancouver at the extreme west of Canada, and from Canada we can communicate with Australia and New Zealand without going over any soil which is not British. Similarly, from Australia we can reach India and South Africa. If we were to lose Canada this communication would become impossible.

It is not only true that England has need of the colonies for the preservation of her prosperity; the colonies also have need of England. Australia, whatever she may be in the future, is not at present a self-sustaining country. She imports from England a great deal of what she absolutely needs, whereas her wealth comes from the fact that England needs what she produces. If English manufactories did not flourish her enormous supply of wool would not be all used up, while her supplies of gold and silver are far larger than she requires for herself. Also, she is face to face with foreign and possibly hostile countries. Germany and France are at her doors, the one in New Guinea and the other in New Caledonia and the New Hebrides. Quarrels with these countries might easily break out. The Dutch colonies of Java and the Malay Archipelago are also at no great distance. China also with four hundred millions of inhabitants is very near to her. Therefore she requires the defence of a great maritime nation like our own.

There can be no doubt from what has been before said that the possession of Cape Colony is of the highest importance to us. If the water road through the Suez Canal should in any way fail us, the route round the Cape remains as a substitute. Indeed many believe that the Cape route is superior to the other, not only for ships going to Australia and New Zealand, but for those bound for India. If we were not certain of being able to coal and refit our ships at the Cape of Good Hope in case of need our whole maritime position would be seriously weakened. But at the same time South Africa is so pressed by France, Germany, and Portugal, and by the existence of native races within her borders in enormous numbers, that she

would find it difficult to prosper without the assistance of a great nation like our own.

Similarly our trade with India is immense, being one-tenth of our trade with the whole world; while we have three hundred and fifty millions of English capital locked up in Indian enterprises. At the same time, if the English government were removed, India would fall into a state of anarchy and civil war, and become the battle-ground of races who hate each other with deadly animosity. From this it will be seen that it is the duty of every English citizen to acquire not only a knowledge of the colonies, but to regard them as brothers and as parts of the empire to which we all belong, being certain not only that the British empire is a thing of which he may be proud, but that its existence is equally for the interest both of the mother country and of the territories over which she rules.

But a great empire like ours must have important relations with foreign countries not only in respect of friendly feeling

Relations of England with foreign states. and general courtesy and fair dealing, but also in the transaction of important business. These relations have been touched upon in our account of the foreign office, which has charge of them, but something more may be said on this subject. England, like other nations, is represented abroad by two classes of agents resident on the spot. These are either diplomatic agents or consuls. A diplo-

Ambas-sadors, &c. matic agent may be either an ambassador or a *chargé d'affaires*; he may be either sent on a permanent mission to a country, or he may be despatched for some temporary purpose. The difference between an ambassador and a *chargé d'affaires* is that one receives powers to treat and negotiate under the great seal, and a letter to the sovereign or the president of the country to which he is sent signed by the king. Envoys plenipotentiary, who are inferior in rank to ambassadors, are similarly accredited. The letter of credence of a *chargé d'affaires* is merely signed by the secretary of state. The duty of an ambassador is to correspond with his government on all matters, happening in the country to which he is sent, which may be of interest for them

to know, to carry out the instructions given to him, and to represent his government and the sovereign in all respects at the foreign court. As popular government has progressed the personal acts of sovereigns have become of less political importance. The functions of embassies have become more commercial as our relations with foreign countries have more and more taken the aspect of trade.

Consuls, on the other hand, do not represent the state for which they act in their external relations with other states, unless they happen to have a specially diplomatic Consuls. as well as a consular character. The consul is merely employed to attend to the interests of the citizens of the state which he represents, during their stay in the country in which he is engaged to reside. His main business is to authenticate documents, as well as births and deaths, and to take statements from captains of ships as to injuries sustained at sea. He is also expected to receive complaints from subjects of the state which he serves as to any injuries inflicted upon them, to administer their property if they die in the country where he resides, and to arbitrate in disputes. Also, he is expected to collect commercial and economical information which may be useful for British trade, and to forward it to the foreign office. A consul has no judicial power unless it be specially conferred upon him. He is appointed by commission from the government which employs him, but his appointment must be confirmed by a document given by the country in which he is to act. No country is obliged to receive or to continue any one as consul of a foreign power if it has reasons for disapproving of him. The papers of a consul are regarded as inviolable, and he has a claim not to be interfered with in the discharge of his duties.

By means of our diplomatic and consular system an Englishman will find in every part of the world some one to give him active assistance in case of need, and to defend him against injustice.

CHAPTER XX.

THE INDUSTRIAL AND SOCIAL DUTIES OF THE CITIZEN.

ALMOST every one who reads this book either has, or will have, to work for his living. It is obviously desirable that every one who is thus situated should choose that kind of work in which he is most likely to succeed, and should receive that education and training which will best fit him to perform the work which he has to do in life. Although different occupations require special faculties for success in them, yet there are some conditions which are common to all, and without which efficiency cannot be obtained. These are health and strength, physical, mental, and moral. Not only do these faculties conduce to the production of wealth, but wealth, when produced, can be used, and should be used, to increase these faculties. Some occupations require for their exercise little more than mere physical strength, coupled with habits of energy. The work of "navigators" or "navvies", who make roads and railways, of porters who carry heavy loads, and of most agricultural labourers is of this nature. It may be measured even by the number of pounds which a man can lift through a certain distance. But even in these employments force of will and strength of character must be taken into account, and these again depend to some extent upon physical vigour.

One of the first requisites for the production of this vigour is a proper supply of wholesome food, and the power of the food to supply strength to the body depends much upon the manner in which it is prepared. A skilled housewife with ten shillings a week to spend on food will often do more for the health and strength of her family than an unskilled housewife with twenty shillings. Hence the importance of schools of cookery and of the teaching of household management to the poor. Good clothing, sufficient warmth, and a proper supply of fresh air are also indispensable conditions of physical vigour.

There are also certain moral forces which contribute largely to this result. One is freedom, that is, the condition which enables a man to work for himself, instead of labouring all his life as a serf or a slave for others; another is the possibility of rising by his exertions to a position of greater comfort; and a third is the opportunity of change which enables a man to transfer his labours to any sphere in which they are more likely to be appreciated. The conditions of labour in former times were unfavourable to all these things, and in many cases they are still unfavourable. Many agricultural labourers are practically bound to the soil on which they labour; they have no hope of independence and no outlook but the workhouse.

Although liberty of change is a good thing, it does not follow that it is always wisely used. In almost all countries there is a constant migration from the country into the town. It is said, indeed, that none remain in the country except the old men and the fools. But even if the actual immigrants to the towns are able to secure better payment for their labour, it does not follow that it is good for the whole community. Their children are apt to become weak and sickly, and this tendency can only be partially remedied by furnishing the public parks and playgrounds of which we have previously spoken. It is desirable that the law should prevent over-crowding in cities, and that cheap means of communication should be provided which will enable artisans to do their work in the towns while they reside with their families in the country.

If the human race were to increase with the utmost rapidity of which it is capable, mankind would soon sink into a miserable condition, and would indeed be on the verge of starvation. This is found to be the case in some densely-populated countries. But as wealth increases, those who are occupied in producing it are gradually led to wish for a higher degree of comfort, and for family life of a better type. Therefore they do not marry until they have a prospect of supporting their families according to the standard which they place before them.

selves. This tends to lessen the increase of population, and, together with the efforts in respect of public health which have been already described, brings about the result that the working-classes in England are to-day on the whole better off than those who preceded them.

Besides these fundamental requisites of physical, mental, and moral vigour, training is required to develop them to their full advantage. In order to perform the higher kinds, even of manual labour, it is necessary that the workman should be able to bear in mind many things at a time, to have everything ready when wanted, to act with prompt resource when anything goes wrong, to be able to meet with dexterity changes in the details of the work, and to have a reserve of force which will come out in an emergency. These powers will be called out by general training, first in the home, and especially by the influence of the mother, and next in the school. A good education stimulates the mental activity of the workman, it makes him desirous to learn whatever he can about his work and about other things. It makes him more intelligent, more ready, more trustworthy in his ordinary work, and supplies him with higher occupations out of his working hours. At the same time the benefits of education to the working-classes are not only that it makes them all better workmen, but that it enables those of them who are endowed from their birth with special ability, to rise to such stations as their capacities may fit them for. It has been rightly said that there is no extravagance more harmful to the growth of national wealth than the wasteful negligence which allows genius that happens to be born of lowly parentage to expend itself in lowly work.

Besides this general training, there is also special training for particular employments; this is more often made use of in other countries than our own. Englishmen are accustomed to look too much to practical efficiency, and to consider that the best preparation for any work is an apprenticeship which enables a learner to see others do things rightly, and to learn to imitate them. But every work has a

Necessity of
practical
training.

theoretical as well as a practical side. In England a lad who desires to be an engineer will be made to begin as a common workman, and rise gradually through every grade of mechanical work. In Germany he will first be taught the applied mathematics, the drawing which belongs to the business, and other matters which can be learnt from books, and only after several years of this teaching will he be permitted to put the principles into practice. A similar method applies in almost every branch of industrial work. The best works on almost every branch of practical industry have first been written in German. In England we are slowly imitating foreign example, but we are hindered by a sense of our own dexterity in practical matters, and by a conviction that theory is in some way opposed to practice. The natural ability of Englishmen has hitherto preserved our industrial supremacy, but it is admitted that most of the smaller improvements in chemistry and other arts have been made by German workmen. A properly organized system of technical education will, it is hoped, in the future do much to remedy these defects.

Also in Germany and Switzerland the universal practice of teaching foreign languages to children not only stimulates their intelligence but makes it easy for them to get their living in other countries than their own.

In order that industry may be organized in the most efficient manner, it is necessary first that every one should be employed at such work as his abilities and training fit him to ^{Advantages of machinery.} perform, and, secondly, that he should be equipped with the best machinery and other appliances for his work. It is soon found in all work that "practice makes perfect", and that the constant performance of exactly the same operation enables it to be done not only with greater rapidity but also with greater skill. Hence in many industries the work done by each individual becomes reduced to routine, and the part which each worker is given to perform becomes so minute that by the help of mechanical skill machinery was invented to do it instead. The introduction of machinery has produced a great economical revolution. Let us take as an example the

manufacture of watches. A few years ago the business of watchmaking in Switzerland was divided into about fifty distinct branches of trade, each of which did a small portion of the work. They required a certain particular skill in the use of the hands, but very little judgment. There was no difficulty in bringing up to it any child with ordinary intelligence. Now, however, the Americans have invented machines which supply nearly every part of this manual labour. Every year the machinery requires less and less assistance from the human hand. But some of these machines require a higher intelligence and character to control them than was needed for the operations which they displace. Higher wages are gained by the workers, and the price of watches is very much diminished. This shows the advantage of machinery over the old system of extreme subdivision of manual labour. Also, there is so much similarity between machines used for different purposes that an artisan accustomed to look after one kind can transfer himself to another if his original trade fails. Machines also relieve artisans from much of the extremely heavy work which used to lay a heavy burden upon them, and tended to make them prematurely old. The care of one or of several machines is less wearing and monotonous than the executing of some one special task which is now done by the machine. The life of an artisan in an age of machinery is far less monotonous. He is not exhausted by the physical labour of his work, and has energy to cultivate his intelligence in his leisure hours.

It may be asked, Why should any one do more work than is necessary to secure his own subsistence? To this it may be answered that every citizen who respects himself ^{Uses of work.} and who has the necessary capacity and industry, will do his best to maintain the national wealth by which he is so largely benefited, and if possible to increase it. What, then, is wealth, and what is meant by the wealth of the community? It will be useful here to define some terms in connection with wealth which are in common use, but are often imperfectly understood, and in doing this we shall be gaining a better knowledge of how to turn our abilities and opportunities to

proper uses. In what we say on this subject we shall follow the guidance of Professor Marshall, from whom we have borrowed much in our preceding remarks.

In order to understand what wealth is we must first make use of a more general term which represents all desirable things, or all things which satisfy human wants. What is wealth? These may be called goods. All wealth consists of things that satisfy want directly or indirectly; all wealth, therefore, consists of goods, but all kinds of goods cannot be reckoned as wealth. The affection of friends is a good, but cannot be reckoned as wealth. When a man's wealth is spoken of it is generally taken to consist of two classes of goods. First, the material goods over which he has private right of property, and which can therefore be transferred or exchanged. Examples of this kind of wealth are land, houses, and furniture, shares in public companies, and other investments of money. In the second class are the immaterial goods, which enable him to obtain material goods, such as the good-will of a business. A man's personal qualities and faculties which enable him to earn his living are part of his personal wealth, but are not generally included in the term in ordinary language. At the same time the wealth of a nation includes something more than the wealth of the individuals who compose it. Roads, canals, buildings and parks, gas-works and water-works—whatever distinguishes a long-settled country from one recently reclaimed, so far as they are not the property of individuals, are constituents of the national wealth.

Now man cannot create material things. All he can do is either to change the position of matter so as to make it more useful, as when he makes a log of wood into a What is labour? table; or to put it in the way of being made more useful by nature, as when a seed is placed in the ground in order that it may grow. In the same way man cannot destroy matter; he can only put an end to its usefulness. Labour is a kind of work, but many goods are a kind of work, and yet goods cannot be considered as labour. Labour must therefore be defined as any exertion of mind or body under-

gone in whole or in part with a view to some other good than the pleasure derived from the work. Productive labour means labour which is spent on producing things, by which other things may be produced, or which add to our lasting sources of enjoyment.

You must have often heard the expression capital used with regard to wealth. A person is said to have a large capital, or

not to have sufficient capital for a certain purpose,

Capital. or to be a capitalist. What, then, is the exact meaning of the term? Wealth may be used either to satisfy our wants directly, or to satisfy them indirectly by providing us the means of producing further wealth. Now a person's capital may be defined as that portion of his wealth by which he wins his livelihood. Important parts of this are the factory and the business plant of a manufacturer, the raw material he uses for production, the food, clothing, and house-room that he may possess for the use of those whom he employs, as well as the good-will of his business. All these things help him to make an income. This is his trade capital; but we must also include the store of necessaries which provide for his own efficiency as well as for that of his work-people, as they are part of the means by which he earns his livelihood. This capital is the result of saving, and implies a sacrifice of present for the sake of future enjoyment. There is also, besides a personal capital, a social capital, that is, a capital belonging to society as a whole, and this will include the things made by man, by which the society obtains its livelihood. In other words it includes the external goods which are not free gifts of nature, but without which production could not be carried on with equal efficiency.

Another word which it is necessary that we should accurately understand is income. Income is not the same as wealth.

Income. Wealth includes all goods in a material shape which are capable of being exchanged, and all such business connections as are a direct means of obtaining material goods. So a man's gross income includes the goods which come in to him during a certain time, whether it be a year's

income or a month's income. It includes all new elements of wealth, the benefits derived from the use of wealth, and such passing enjoyments as have a market value, or are commonly acquired by the payment of money. But as, if a man is engaged in business, he must necessarily incur certain outgoings for raw material, the hire of labour, and other similar purposes, in order to find his net income, which is generally called his income, we must deduct from his gross income the outgoings which are necessary for the production of wealth. Indeed, we generally reckon as a man's income only those parts of it which come to him in the form of money, or those which can be easily converted into money, or which save him pecuniary expense. Thus, if a man lives in his own house, or farms his own land, the estimated rent of the house or the farm is generally reckoned as part of his income.

If a man is engaged in business his *profits* for the year are the excess of his receipts from his business during the year over his outlay for his business. But in order to estimate this correctly he must take value of his stock or plant, and if there is a difference of value compared with the preceding year, consider it as part of his receipts or part of his outlay according as there has been an increase or a decrease. What remains of his profits after deducting interest on his capital at the current rate may be called his *earnings*. The income derived from the ownership of land and other free gifts of nature is commonly called *rent*, and this is generally made to include the income from houses and other things, the supply of which is limited and cannot be quickly increased. What we have hitherto spoken of is personal income. The national income includes everything which is produced in the course of the year, every service rendered, every fresh utility brought into existence; and this national income it is the duty of every citizen to increase.

Different kinds of income.

CHAPTER XXI.

ASSOCIATIONS OF WORKERS.

HISTORY tells us that associations of workers are amongst the earliest and the most persistent institutions of the human race.

We find allusions to a guild of apothecaries in the *Guilds.*

Old Testament. Trade societies existed at Rome, and laws were made for their regulation. The free towns of the middle ages were very largely founded by groups of handicraftsmen. The great body of the inhabitants who had the full rights of citizens, and who decided for themselves the foreign and domestic policy of the city, at the same time worked with their hands and took pride in their work. They organized themselves into guilds, which we know to have existed in England before the Norman Conquest, and this brought them closer together and educated them in self-government. The guilds gradually became exclusive, and their trade regulations ultimately retarded industrial progress, but before they began to decline they did excellent work. Under this system the citizens gained culture without losing energy, and they learnt to take an intelligent interest in many things besides their own business. They led the way in the fine arts, and were not backward in those of war. They took a pride in magnificent expenditure for public purposes, but they were equally proud of husbanding the public revenues, in keeping careful public accounts, and of a system of taxes based on sound business principles, and levied equally upon all. They thus led the way towards modern industrial civilization, and if their course had not been interrupted they would have worked out many of the most difficult social and economic problems of the present day.

England entered seriously into industrial occupations later than other nations. The strength of the English ^{Progress of industry in England.} character was first shown in politics, war, and agriculture. In manufactures of all kinds England lagged behind Italy, France, and Spain, as well as the free

cities of Northern Europe. The ports of England did not increase until the wealthier classes got some taste for imported luxuries. Still, even in agriculture we find indications of the line of industrial progress which England was afterwards to adopt in manufactures. In the Middle Ages we find large farms hired from the owners and worked by hired labourers. This is an anticipation of what is called the capitalistic form of modern manufacture, in which the manufacturer, often working with borrowed capital, hires the services of a great number of workers. Still the industrial character of England did not show itself until after the Reformation. When England began to claim for herself a prominent place in the industry of the world, she adopted the principles of free competition, and of the subdivision of labour. Under this system the work within the several trades was so divided that the planning and the arrangement of the business, the management and the risk were borne by one set of people, and the manual work required for it was done by another set who were hired labourers. Thus grew up a system of large capitalist manufacturers, and their power received a great impetus from the discovery of America, and the opening up of large markets across the sea.

The quarter of a century between 1760 and 1785, the first twenty-five years of the reign of George III., which are generally regarded as a period of political and social ^{Great inventions.} deadness, was a time of great inventions which laid the foundations of the marvellous progress of our present age. The country was covered with a network of canals which facilitated the transport of heavy goods. The steam-engine, which has worked such revolutions in our time, first saw the light. The new methods of working iron were discovered, and coal was used to smelt it instead of charcoal. A series of inventions substituted machinery in the working of wool and cotton for the previous system of hand labour. In 1780 a cotton factory was first driven by steam power. These inventions, combined with a large extension of British dominion, made the changes in her industry move very fast. The system

of working in factories instead of houses had already begun, but when steam-power began to displace water-power the size Effects of competition. of the factories rapidly increased. This new movement developed free markets for labour. People began to leave the parishes in which they were born, and to go to that place where they had the best chance of employment. The price of labour gradually came to be determined, not by regulations or by custom, but by the circumstances of supply and demand over large areas.

So much misery was caused by this unrestricted competition, as well as by bad harvests, and by the crushing expense of the war in which we were engaged against France,

Struggle between capital and labour. that the workers turned to the government for the enforcement of old laws which prescribed the manner

in which trade was to be carried on, and for the revival of the regulation of prices and wages by justices of the peace. The manufacturers would not listen to these demands, and took their stand on the principle that competition should be perfectly free, and the strongest should have their way. The workmen, thrown back upon themselves, began to combine for mutual defence, but this movement was vigorously opposed by the legislature. A long series of Combination Laws made it illegal for workmen to meet together and deliberate upon the terms and wages for which they should labour. By a law of 1806 all agreements between journeymen and workmen for obtaining advances of wages, reduction of the hours of labour, or any other change in the conditions of work were declared illegal, and persons entering into such agreements could be convicted summarily by two justices of the peace and committed to prison for two months. The effect of such laws was not to suppress societies but to render them secret conspiracies. At last, in 1824, these laws were swept away, and workmen were allowed to combine for common purposes under the same conditions as other people. At the same time, although these unions were permitted to exist, they had no definite position in the eyes of the law; they could not be regarded as friendly societies which were pro-

tected by the law, nor as ordinary partnerships. If a dishonest treasurer made away with the funds of a trades-union, there was no means by which he could be punished, the members had either to suffer fraud or take the law into their own hands. About fifty years after the repeal of the Combination Laws, Acts of Parliament were passed which gave great facilities to trades-unions for this purpose. They can hold land and other property in the names of trustees, and can carry on all legal proceedings in the same manner. They have ready means of punishing any fraud or illegality on the part of their officers.

Trades-unions.

A modern trades-union is generally an association of workers in the same or allied trades, which collects funds from all its members and applies them, first to the support of such of its members as cannot obtain work except on terms which the general policy of the trade will not allow them to accept, and secondly, to the assistance of members who are in need, this second object being similar to that of a provident society. The chief aims of a trades-union are generally the increase of wages, ~~the~~ reduction of the hours of labour, ³ the securing healthy, safe, and pleasant conditions of work, and the defending industrial workers from arbitrary and unjust treatment by their employers. Most important unions have many branches, each of which manages its own affairs in detail, but is obliged to conform to the general rules of the whole body. The control over the funds of the union remains in the hands of the central body. The union is governed by a central council or executive, which is generally selected from those officials of the branch who have deserved best of the society. The executive of the best unions are said by Professor Marshall to be shrewd, far-seeing men, resolute, but with great self-control. The sanction of these men has to be obtained before the funds of the union can be used for any trade dispute. In certain cases of emergency a special meeting of the delegates of the whole body is summoned, or the general opinion of all the members is ascertained by voting-papers.

There can be no doubt that the unions exist mainly for

fighting purposes. Indeed, some of the newer associations neglect the provident side of their operations altogether. But the best unions still pride themselves on rendering their members independent of charitable aid, public or private, during any of the common misfortunes of life. They give money in cases of accident, sickness, superannuation, and death, and they also give pay for a considerable period to those who are out of work through no fault of their own. Only the members of his own trade can judge whether a man's want of work is due to idleness or any other fault, or whether he is setting too high a price on the value of his work; they also alone have an interest in enabling him to refuse to sell his work at less than they think that it is worth.

When a labour dispute breaks out between employers and workmen, the remedy in the hands of the workmen is to "strike", that is if the dispute cannot be adjusted

^{Strikes.} in other ways. These strikes are managed by the trades-union, and their general object is to obtain either higher wages or less hours of work. There is scarcely any economic question on which the best authorities are more divided than as to the effect on trade produced by strikes, whether it is beneficial, and if so, how the beneficial effect is brought about. Results are often produced by threatening to strike, and in this case it is not necessary to go to extremities. But there is a general opinion that the evil of strikes, which are likely to occur in any case, is lessened by the operations of a powerful union, and that unions have an influence in raising wages in the trades from which they are formed.

But there are important considerations on the other side. The influence which a union exerts in raising wages in its own

^{Influence of trades-unions.} particular trade may not be beneficial to other trades. If their conduct has the effect of rendering business more difficult or anxious, or of impeding it in any other way, the loss to other trades may be greater than what they gain themselves, and the average level of wages may be lowered. If the profits of business are seriously diminished, capital may be transferred to other countries, or

men of business may be less inclined to exert themselves to the utmost. It is easy to over-rate the power of trades-unions to raise wages. They may have some effect when the general tendency is in the same direction, but when wages are falling from other causes, trades-unions cannot make them rise.

Trades-unions may have considerable effect in improving the moral and economical condition of the workmen if they are wisely conducted. Their first object must be to make business easy and certain. Boards of conciliation, whose duty it is to examine the causes of disputes on either side, and to bring about an amicable settlement, will have much influence in this respect. Also unions should aim at raising the standard of life amongst workers both old and young, by encouraging habits of sobriety, honesty, independence, and self-respect. Further, they should assist in the training of the rising generation, in order that their labour may be more skilled and may deserve a higher wage. Finally, they should so educate the working classes as to enable them both to manage businesses, and invent new processes of manufacture, so that commodities being produced economically and efficiently, the amount of profit accruing to the nation may be large, and also that subordinates being capable of business management, less of the profit may go to the heads of the direction, and more may be available for wages. Unions might make a step towards this by undertaking business on their own account, and by assisting all forms of co-operative enterprise. Unions should never forget that actions which may appear beneficial to their own trade may inflict considerable injury on other trades, and may tend to diminish the national wealth.

We have spoken of conciliation in trade disputes, but a few more words are wanted with respect to that and arbitration. We must distinguish between the two. A conciliator is one who intervenes between disputants in order to promote calm discussion, to show forth mutual explanations, and to suggest possible terms of compromise. An arbitrator, on the other hand, is appointed either by consent of the parties or by superior authority to inquire into the

Arbitration
and concilia-
tion.

facts, to hear what both sides have to say, and then to determine the conditions of agreement with or without the concurrence of the disputants. In conciliation the agreement is entirely voluntary, in arbitration it is, if need be, compulsory. Arbitration is effective when it relates to the past and when the facts on either side are capable of being ascertained. But when the dispute relates to the future and to the fixing of rates of wages and prices which would generally be left to natural operations of supply and demand, it is of little service. In order to determine these matters, boards of conciliation have been established in many trades in connection with the unions. In these boards an equal number of representatives of employers and employed meet on equal terms and discuss the rate of wages and other matters in reference to the present and prospective condition of trade. When they are able to agree, and this is very often the case, their decision is binding on the whole of the trade in their district. These friendly settlements are of little use unless a board is strong enough to secure the faithful carrying out of an agreement to which its officers have been a party. But a union able to do this, and under the direction of wise leaders, is able by a few minutes of quiet conversation to settle disputes which would have caused much delay and worry and much ill-feeling in former times. The ultimate appeal of nations who are disputing with each other is war, the ultimate appeal of the workmen who are at variance with their employers is a strike, which is a form of industrial warfare often accompanied by misery and loss to both sides. But in both cases mutual explanations and concessions may render war unnecessary, and it is the duty of every good citizen to bring about a state of things in which this is possible.

Another form of associations of workers is found in co-operative societies. These may take two principal forms, either by *Co-operative societies.* the co-operation of workmen who form joint-stock companies and carry on manufacturing or agricultural industry independently of large capitalists, or the co-operation of employers and employed in a scheme of partnership which admits the employed to a share of the ultimate profit

in addition to the wages advanced. The first of these systems would have many advantages if it could be successfully carried out. The workmen, whether they contributed towards the capital of the business or not, would have a share of the profits and some powers of voting at the general meetings, at which the broad lines of policy in carrying on the business were laid down. They would also have a voice in appointing the officers who are to carry that policy into effect. In this way the workers are in a certain sense the employers of their own managers and foremen. They can judge whether the business is conducted honestly and efficiently, and they can detect better than any one else whether there is any laxity or incompetence in administering its details. Under such a system they are not likely to shirk work themselves, or to suffer idleness on the part of others. But whatever may be the case in the future, it has not been found that a system of this kind has worked well in practice. Human nature is such that the workers do not form the best judges of their foremen and managers, and jealousies and outbreaks of ill-temper are apt to arise. Also, those who work with their hands are not always capable of realizing the ability and energy required for the management of a complicated business machine, and are likely to cut down the remuneration of superintendence below a proper limit. An able manager will find that he will receive a higher remuneration elsewhere and be less subject to interference and annoyance. In fact, such co-operative societies are seldom managed with the dexterity and adroitness which are found in the other industrial organizations with which they have to compete. There is, however, no reason why the experiment should not be tried on a small scale at first, in the hope that as education spreads and experience increases arrangements of this kind may be found possible on a larger basis. Co-operation has hitherto been most successful when it has been applied to the task of retailing commodities consumed by working men.

The second form of industrial co-operation has proved on experience more successful. The value of a workman's services

(1) Labour associations.

depends not only upon his technical skill and industry, and upon the quantity of goods which he has helped to produce, but also upon the price at which these goods can be disposed of. Owing to a number of circumstances which it is difficult to foresee, their prices vary from time to time to a degree which cannot be provided for. If the interests of the workman in the firm are to be closed by the periodical payment of wages, a large margin must be left to the employer for the chances of loss or gain. It is, however, possible to establish a system by which the wages are merely regarded as an advance to enable the workmen to subsist during the period between the manufacture of the commodities and their sale. The balance of the profits would then be paid at the end of the year or half-year in the form of a bonus or dividend, deducting charges of interest on capital, wages of superintendence, cost of depreciation of plant, revenues to meet bad debts and other expenses of production, for which the employer can fairly claim compensation. Under this scheme, which is called profit-sharing, a private firm retains the unfettered management of its business, pays its workmen the full market rate of wages whether by time or piece-work, and agrees in addition to divide amongst them a certain share of any profits that may be made above a fixed minimum. This is found to lead to more easy and profitable working. The workmen are more ready to go out of their way to do little things which may be of benefit to the firm, and workers of more than average ability and industry are attracted into its service. This form of co-operation sometimes takes the shape of profit and loss sharing, in which case a part of the wages of the workmen is held back to help to cover any loss that may be shown in the year's working.

We have already spoken of the duty of thrift and of the facilities which the state affords for saving. It has been said that it is a part of the object of trades-unions to act as provident societies, and to provide for sickness, old age, and want of employment. But this work is

Friendly societies.

more especially done by what are called friendly societies, the members of which, paying a certain weekly contribution, are able to obtain allowances when they are rendered incapable by misfortune. The management of these societies might give occasion to a great deal of fraud if the government did not take care that they are under efficient supervision, and that their accounts are properly audited. Some societies also make it easy for people, by means of small payments, to become possessors of houses or land, but the business of these is more complicated, and great caution is necessary in selecting a society that can be trusted. Some of these friendly societies, as well as the trades-unions and the co-operative societies, are managed entirely by their members, and thus form a useful machinery for training the citizen in habits of government and in the practice of affairs.



CHAPTER XXII.

THE STATE AND LABOUR.

THE manner and occasion in which and the degree to which the state may properly interfere with the industrial freedom of its citizens is a most debateable and difficult question. The history of English legislation in these respects does not help us to a conclusion, because we find on inquiry that it has almost always been conducted with a view to the interests of some particular class. It has generally been the outcome of the effort of some dominant body to keep down a lower class which had begun to show inconvenient aspirations. It has been said that all statutes of labourers in the Middle Ages have been passed with regard to the powers and wants of the landed proprietors, who were the feudal lords. The statute of apprentices which was passed in the early part of the reign of Elizabeth and continued in force till a few years ago, can hardly be defended in

Connection
of state with
labour.

the present day. It provided that every servant and artificer should be compelled to work in the trade in which he was brought up. Any workman departing from his city, town, or parish without a testimonial from his previous employer or some official person, was to be imprisoned till he procured a testimonial. If he could not do so within one-and-twenty days he was to be whipped and treated as a vagabond. The hours of labour were legally prescribed. From the middle of March till the beginning of September all artificers and labourers hired by time were to be at their work on or before five o'clock in the morning and not to depart till seven or eight at night, two hours and a half a day being allowed for meals. Thus the legal day's work was fixed at twelve hours at the least. The condition of women was worse. Any two justices of the peace might bind any unmarried woman between the ages of twelve and forty to service, the wages to be fixed by them, and if she refused to serve she could be sent to prison. Much of the statute remained a dead letter, but it is an indication of the spirit of the age.

The character of legislation on these subjects is now very different. It is eminently disinterested. It has as its object the wealth and welfare of the people, ^{Character of modern labour legislation.} it does not serve the interests of any one class in trade. If anything it involves a sacrifice on the part of the capitalists and employers who take part in passing the laws.

Existing legislation with regard to factories is mainly contained in what is called the Factory and Workshop Act, passed in 1878. It consolidated into one about fifteen previous statutes. The subject will be made more clear if we give a short history of the factory legislation which preceded this enactment.

The first Factory Act was passed in 1803, to guard the interests of the apprentices sent by the overseers of the poor in the south to the manufacturing towns of the north. ^{Factory acts.} Their condition was little better than that of slaves. They worked day and night, and it is said that one gang when exhausted slept in beds which had just been left by those

going to labour. The act provided that factories should be whitewashed twice a year, that windows should be used to give fresh air, that the apprentices should receive a suit of clothes a year, that they should only work for twelve hours a day and not at all at night. They were also to be instructed in reading, writing, and arithmetic, and not to be overcrowded in the sleeping apartments. A second act, passed in 1819, forbade the employment in cotton-mills of any children under the age of nine, and limited the hours of work for children between the ages of nine and sixteen to twelve hours, exclusive of meal-times, night work being also prohibited. An act of 1825 provided for a shorter day on Saturdays, consisting of nine hours, to be completed between five in the morning and half-past four in the afternoon.

In 1833 the work of children between the ages of nine and thirteen was limited to nine hours a day, and two hours were to be spent in school. This in 1844 was reduced to six hours and a half for children over eight years of age, and the time to be spent in school was raised to three hours for five days in the week. By this time also inspectors had been appointed to see that the acts were duly enforced. At a later period the working day was fixed from six in the morning to six in the evening, with an hour and a half for meals; work on Saturday was to end at two o'clock. An important act was passed in 1878, and others have been passed since, the law at present being contained in the act of 1901. "Factories" are divided into textile and non-textile, textile factories being premises in which steam, water, or other mechanical power is used in manufacturing cotton, wool, hair, silk, flax, and similar things. A "workshop" is a place in which no such power is used. On five days in the week the work is not to be more than twelve hours a day, and on Saturdays work must end at or before two p.m. in textile and three or four p.m. in other factories and workshops. Not less than two hours a day is to be allowed for meals in textile factories and an hour and a half in other places of work. The general rule is that $56\frac{1}{2}$ hours a week work is given in textile factories, and 60 hours in non-

textile. No child under twelve years of age may be employed; after fourteen and up to eighteen the child becomes a "young person". Children are subject to what is called the half-time system, that is, spending either half the day in the factory and half in school or else attending the factory and the school on alternate days. There are various exceptions to these general rules, but they cannot be stated here. The provisions of the act apply only to children, young persons, and women. Males of full age are left free to make what arrangements they like for themselves. But these are indirectly affected by the fact that it is difficult to continue the work of the factory after the children and women have left.

In mines it has been for a long time illegal to employ either females or boys under twelve years of age underground. Also, ^{Mining regulations.} a number of regulations for the health and safety of miners are provided by law; for instance, double shafts have to be furnished in coal mines for proper ventilation and the safety of the men.

The question as to whether Acts of this nature are desirable or not is closely connected with another question as to how far it is desirable to limit the hours of labour, and as to whether the national wealth is increased or diminished by doing so. There can be no doubt that when the hours and the general conditions of labour are such as to cause great wear and tear of body and mind, and to lead to a low standard of living, and when there has been a want of the leisure, rest, and repose which are one of the necessities for efficiency, then the labour has been extravagant from the point of view of the society at large. In such a case a moderate diminution of the hours of labour would only temporarily diminish the national income, for as soon as a higher standard of life was reached, and it had had time to produce its natural effect on the workers, their increased energy, intelligence, and force of character would enable them to do as much as they did before in less time, and then no ultimate loss would be involved in material production. In other words, overwork of body and mind is quite possible, and produces less result

than moderate work directed by energy and intelligence. If we take the lowest grade of worker, we shall find that some of them work very hard, but that they have little real strength, and that many of them are so overstrained that they would very likely do as much in a shorter day as they do now in a long one. Also in some factories where machinery is only used for ten hours a day it would be a great gain to employ a double shift of eight hours each. If this were done, the arts of production would progress more rapidly, the national income would be larger, working men would earn higher wages, and all classes of society would benefit. This, however, would only apply to trades which employ expensive machinery. But in many trades a reduction of the hours of labour would lessen the amount of things produced, and would not, at least for some time, bring about any such increase of efficiency as would raise the average work done up to the old level. In such cases the national income would be diminished, and the loss would fall in great measure upon the workers who were employed for fewer hours.

It is a mistake to suppose that a lessening of the hours of labour would cause a permanent increase in the demand for labour. There is no such thing as a fixed work-fund in a society, that is, a certain amount of work which has to be done whatever the price of labour. On the contrary, the demand for work arises from the condition of the national income. The demand for work comes from work. The less work there is of one kind, the less demand for work there is of other kinds, and when labour is scarce fewer enterprises are undertaken. If a short working day were adopted without double shifts in factories with expensive machinery, manufacturers would not find it worth while to buy that machinery which could only be used for so short a time, and it is the existence of this costly plant which makes employers reluctant to close their works. Therefore the lessening of the hours of labour would probably tend not to lessen but to increase the inconstancy of employment. All trades cannot gain by making their labour scarce. If the national income were reduced, a part of the loss might

fall on employers and capitalists, and a part on the consumers, who are well able to bear it, but some of it would fall on the workmen who are themselves consumers, and the gain of one trade would be a loss to others which are allied with it.

At the same time, although it may be true that a shortening of the hours of labour might produce a loss in certain trades, yet it might very likely be accompanied by an increase of production arising from the general progress of wealth and knowledge. Therefore we must set one result against the other, and come to the conclusion that although a general reduction of the hours of labour might cause a little such national loss, it might at the same time be productive of much more good. But it would be folly to attempt to meet the difficulty by a rigid uniform system; we should separately examine the conditions of each class of trade.

It must not be forgotten that leisure is worthless if it be not well spent. There is a danger lest the working classes in England should insist upon having more abundant leisure before they have learnt how to use it properly.

Leisure and its proper use. "Human nature", says Professor Marshall, "changes slowly, and in nothing more slowly than in the hard task of learning to use leisure well." Those who know how to work well are always more numerous than those who know how to use leisure well. On the other hand, leisure is itself required before people can learn how to use it well. No class of workers who are devoid of leisure can have a proper amount of self-respect, and enjoy the full privileges of citizenship; and the possession of a quiet time free from fatigue and from work is a necessary condition of a high standard of life. It would probably be more conducive to the well-being of the nation as a whole to do what can be done to increase the opportunities of a noble and refined life for all classes, and especially the poorest, than to secure a sudden diminution in the hours of labour of those who are not unduly overburdened by their work. If a change is to be made we must begin with the young. The state ought to provide for them not only the best possible education for the work they have to do, but

abundant leisure from school and for such kinds of amusement as strengthen and develop the character. At the same time the young cannot grow up fitted to lead a life of the higher kind if they are brought up in homes which are rendered joyless by the overwork of the parents. Able workers and good citizens are not likely to come from homes from which the mother is absent during a great part of the day, and to which the father seldom returns till his children are asleep.

We will now consider in general detail the action taken by the state in England to secure the health and the certain employment of the citizen. In no department is this more clearly shown than in the relations of the state to merchant shipping. When a ship is first built she is measured by a government official for her official tonnage. This measurement is very important. It is the standard by which the ship is taxed for light, harbour, and dock dues. It denotes the size of the hull and its capacity for carrying cargo. It is important in establishing the identity of the ship. When the ship is measured her name is entered in official registers kept at each port by the officers of the customs, with a full description and the name of the owner. An official copy of this, written on parchment, is given to the owner of the ship, and always goes with her until she is broken up. This document identifies her and gives her the right to carry the British flag. The name cannot be altered without official sanction. She also bears a number which is permanently marked on the ship, as well as her name, port of registry, and draught of water. Copies of all such entries are sent every day to the Board of Trade, which thus preserves a complete and trustworthy record of the actual title of every British ship, and this can be consulted on the payment of a small fee. The officers of a merchant ship are required to pass examinations in mechanical proficiency and to produce evidence of character. They then receive certificates enabling them to act as masters, mates, and engineers. The crews of ships are engaged in a public office before a public officer, and the terms of the engagement are read out and explained to the men. Provi-

The state and
merchant
shipping.

sions are made to prevent desertion and to maintain discipline. When the ship has gone to sea the law thus follows the crew. No one can be discharged ashore without provision for their being restored to their own country, and when the ship finally returns home the crew are discharged before a public officer, who sees that the men are duly paid their wages and settles disputes. He also forwards money for the men to their wives and families.

In order to secure the safety of the ship and the people on board, the number of passengers is limited, ships are bound to carry certain lights, and to follow certain rules of passing if they meet each other at sea, and also to carry a certain number of boats. Unseaworthy ships are not allowed to go to sea, and an owner is liable to prosecution if he sends them. The state also provides lighthouses and harbours and pilots all round the British coasts. If a ship is lost on the coast provision is made for rendering assistance and saving life both by means of life-boats, which are the gifts of private charity, and by a rocket apparatus, which is worked by the coastguard under the Board of Trade. Careful inquiry is also made into the causes of all wrecks, and those responsible for the loss may be punished. Thus the government follows a ship throughout her career from her first launching to her final destruction.

Similarly with regard to railways, the permanent roads and everything that belongs to them must be inspected by the ^{The state and} Board of Trade and reported to be safe before the _{railways, &c.} line can be opened for passenger traffic. After the line is opened the Board of Trade has power to inspect it and to report upon it. They have especial authority with regard to level crossings. They also publish returns of all railway accidents, and hold an inquiry on the causes which have led to them, which is of great public service. Tramways are under the same authority as railways. The bye-laws of tramways must be allowed by them, and no steam tramway can be established without their license. Hackney-carriages are also subject to license, inspectors, and regulation both in London and in other towns.

This regulation has reference to locomotion, but similar care is taken with respect to food. Public officers are authorized to inspect and examine all articles of food exposed for sale, and if they appear to them unfit to be used as food they may seize them and bring them before a magistrate, who may order them to be destroyed and may fine the owner.

By the laws which regulate electric lighting, regulations have to be made to prevent danger by fire, electric shock, or otherwise both to workmen and to other people. All works for manufacturing alkali, sulphuric acid, nitric acid, chemical manure, sulphate or muriate of ammonia, as well as bleaching-powder or liquor, must be inspected by a government officer. Elaborate provisions are made by law for regulating the manufacture, storage, carriage, and sale of gunpowder and other explosives, and a careful inquiry is made into all accidents which arise. Bake-houses and slaughter-houses are also placed by law under government supervision. In short, the danger rather lies in over-carefulness. Our daily life is perhaps too much hedged round by inspections, regulations, and prohibitions, and there appears to be a growing need to preserve individual liberty in trade and labour from the impatient zeal of philanthropic benevolence.

Besides superintending the work of private citizens the government also undertakes a number of industrial occupations itself, and is a large employer of labour. In other cases the government gives exclusive privileges to private bodies and thus constitutes what are called monopolies, that is, no one has a right to carry on the particular industry except the persons to whom the right has been given. We find this the case with harbours, canals, docks, lighthouses, roads, bridges, and fences, also with railways, tramways, gas-works, waterworks, and the post-office and telegraph. These monopolies are only established for the public good, and each case should be carefully examined to see whether the work would not be better done if thrown open to competition,

The state
and dangerous trades.

The state as
employer of
labour.

although it is difficult to lay down definite rules on the subject. Let us consider them in turn.

We find the improvement of harbours among the first of very large public works undertaken in England. A few are in

Harbours. the possession of large land-owners, but most of them are controlled by some public body, either the corporation of a town, or a board created for the purpose, or a company not formed for the purpose of profit. If it happens that a town imposes too heavy charges at a particular port it is easy for ships to seek another.

Canals were mostly constructed when engineering began first to develop in England, and are generally the property of *Canals.* companies, especially railway companies. Many

have been to a great extent superseded by railways and are now of comparatively little importance. The Manchester ship canal is a work by itself.

Docks were in the first instance generally made by private capital, but as it is easy to abuse the possession *Docks.* of them so as to injure the public service it has been of recent years the custom to hand them over to a public trust, which makes no profit.

Lighthouses, which are absolutely necessary for the safe navigation of the coast, are now in all civilized countries in the hands of the central government. But in England, when they were first built, many of them were granted by the crown to private persons with power to exact tolls. It is only during the last sixty years that such lighthouses have been bought up and placed under public control. As long as they are in the hands of a central authority and are also made a source of profit to private persons, it does not matter whether they are paid for in the shape of tolls contributed by the persons who use them, or are provided out of the public funds. In both cases they are paid for eventually by the persons who consume the goods which they protect, in one case by the larger sum charged for freight, in the other by an increased contribution to the taxes of the country.

Roads have been already mentioned more than once. They

used to be made by the parishes; but when the science of road making came to be better understood a system grew up of what was called turnpikes. In this case a body of trustees was formed who found money to make the roads, and repaid it by tolls exacted from travellers. Of late years turnpikes have been gradually abolished and roads have been placed under the various local authorities, the county councils and others. In England we are much behind some foreign countries in the uniform excellence of roads and in the provision of milestones and sign-posts.

Bridges and fences are a necessary part of roads, as rivers have frequently to be crossed. They have followed much the same course as roads, and will eventually form part of the same organized system.

Railways form a very important monopoly, and are matters of the highest interest to the community at large. In some countries they have been built by the government, but in England they have been entirely constructed by private capital and enterprise. The only assistance which railway companies have derived from the legislature is the power of purchasing land compulsorily at a valuation, but for this they have often had to pay an enormous price. In return for this they pay to the state a passenger duty, which is not paid in other similar cases. Competition in railways has its advantages and disadvantages. On the one hand, if a town is served by two companies, the service is likely to be quicker and more regular. On the other hand, it is often made difficult for passengers to pass from one line to another; indeed, more pains is sometimes taken to make trains which ought to communicate miss each other than to make them fit in. At the same time railways are under the closest government supervision. All rates and fares are limited by act of parliament, which is a security against extortion. The companies are bound to provide certain trains at cheap fares, but it is often found profitable for the companies to fix their lowest fare at a less amount than the compulsory government rate. No new line can be made except by special act of parliament,

and this is not passed until it is shown that the making of the line will be for the public advantage.

Tramways are very similar to railways, and to them the government has adapted the policy of giving the municipal authorities the first right of constructing tramways, Tramways. and of purchasing them if they please after a certain lapse of time. No tramway can be made without the consent of the municipal authority. Practically, they are generally established and managed by private enterprise.

If we trace the general history of these undertakings we see that in an earlier state of society these undertakings which are of general public interest and of the nature of monopolies were usually managed by public bodies either central or local. As time went on, private enterprise came to the assistance of the government, and did what the government could never have done. In recent years there has been a return to the original practice of placing these matters again in the hands of public bodies. It is undoubtedly a good thing that the supply of the public conveniences we have mentioned should be managed either by the central government or by municipalities, as well as the supply of gas, water, and electric light. But this is only the case when the honesty of the public body can be depended upon. We see in other countries examples of these powers being abused, and of the persons who are chosen to superintend these industries for the public good turning them into an opportunity for their own private advantage. If this should ever become the case in England the evils of the new system would become far greater than those of the old.

The Post-office, which is the largest monopoly of all, has already been dealt with. It is undoubtedly a remarkable instance of the manner in which a service, which Business of the Post-office. is undoubtedly of a trading character, can be performed by a department of the state. The post-master-general has to perform the office of a carrier, a transmitter of messages, a banker, a stock-broker, and an insurance office. At the same time it must be remembered that the

business of the Post-office does not require manufacture, nor much invention or speculation. Its principal duty is to organize agencies which previously existed and were already well known. A large part of its business is that which no one else would care to undertake; there is no risk of great losses and no hope of extraordinary gains.

Besides the cases we have already mentioned, there are other instances in which the government, central or local, becomes an employer of labour as a trader. England has large dockyards for the building and fitting of warships, and arsenals for the supply of all the munition of war. A good deal of this work is sometimes committed to private hands, but it is necessary for the state to be independent, in case of emergency, of private bodies, and there are many secrets connected with the equipment of our army and navy which it would not be for the general advantage to divulge to all the world. It is the duty of the state in these departments to set an example to all other traders of honest and effective work, and of the just and proper treatment of workers. In these ways it may have to maintain a standard which private firms may imitate.

Also power has been given by recent acts of parliament to municipalities to provide, under certain conditions, libraries and museums, markets, slaughter-houses, baths and wash-houses, and even dwelling-houses for artisans and labourers. It used to be a generally adopted principle that private enterprise was more fitted to perform any kind of commercial operation than the government; but we see from what has been said that this principle, both in theory and practice, is being generally surrendered.

In conclusion, it is the duty of the community to sympathize with every reasonable effort made by workers of all kinds to improve their condition and to develop their intelligence. In a well-ordered society every citizen should be a worker of one kind or another, and all workers should sympathize with each other. We should train ourselves in the habit of realizing the particular qualities of the work

Miscel-
laneous
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of labour.

which others have to perform, and while taking care that we do our own work in full proportion, to see in what way we can lighten the work of others and make their lives brighter and more hopeful. No kind of work need be degrading in itself, no work need be incompatible with leisure or with filling up that leisure with elevating and ennobling occupations. There is no reason why education properly directed should make a man dissatisfied with his condition, whatever it may be.

We should recognize the fact that the welfare of each is the interest of all. That which injures the efficiency of our workers or lessens their hopefulness in life leads to national loss. Poverty and ignorance tend to perpetuate

The citizen's duty to the community. themselves, and can only be removed by the united exertions of the community. Each citizen should strive first to make himself an example to others, and then to do his best to make those with whom he comes in contact lead lives which come near to his ideal. If all would work to this end great advances might be made without the co-operation of the state. A country has no greater ornament and no greater source of strength in times of peril than a healthy and skilful body of workers, upright in character, accustomed to rely on their own exertions, and educated so as to appreciate the importance of their contribution to the common advantage of society, and to make their leisure conduce to an elevated and noble life.

CHAPTER XXIII.

CONCLUSION.

HAVING now completed our review of the life and duties of the citizen, we will repeat some of the conclusions to which we have arrived. From what has been said it will be seen that most serious responsibilities lie upon all of us. We are citizens of no mean empire. There is none of us who may not be called to perform functions of the deepest importance, not

only to the happiness and well-being of others, but to the credit and reputation of our common country. It is said that no one goes so far as he who knows not where he is going, and in a country like this a ploughboy may rise to be the leader of an important municipality, or a minister of the crown. We should accustom ourselves therefore not to desire advancement for its own sake, but to fit ourselves to perform the duties which may attach to us when advancement comes, and to learn that the best preparation for the discharge of the highest duties in the city or the nation is found in the faithful discharge of the homelier duties of life.

Civic duty begins in the life of the family. From this it expands, according to a man's opportunities and abilities, with the occupations of his life, whether they be trade, business, or profession. It has been abundantly shown that it is the duty of every citizen in his sphere of life to maintain and increase the national prosperity. Men and women by earning their livelihood with industry and intelligence also take the best means of serving their fellow citizens and their country.

It has been seen that our country is so organized that every citizen of full age must be conscious that he belongs to some self-governing society, larger or smaller, which is closely connected with his own interests. By taking part in the management of an association of workers, for any purpose, whether for advantage or trade, or self-improvement, or mutual charity, we gain experience which fits us for the higher branches of civic life.

But although a good citizen must begin by the careful discharge of the duties which are nearest to him, he must not neglect those which lie outside, or become so absorbed in his own private interests that he disregards those of the community. He must remember that he belongs not only to a family, but to a society and a nation, he must cultivate the virtue of patriotism in all its widening circles. He will then find that the intelligence, honour, and virtue which are essential in the smaller sphere of duty, are equally necessary in the larger. We must train ourselves to take an interest in public affairs, and not to consider that they are merely the business

of party wire-pullers, or the battle-ground of contending factions.

There can be no surer indication of national decay than the apathy and indifference of a nation to its public interests. We must be ready to give our time and thought to public duties which bring in no reward, knowing that our country is to a great extent administered and governed by men who devote their lives to it at a considerable sacrifice. We must be ready to bear our full share of this burden, and to recognize that our public responsibilities are just as much duties incumbent upon us as our personal and family obligations.

We have seen that in England not only is much public work done by persons who are not remunerated for it, but that much work would very likely cease to be justly and impartially performed unless it were subjected to public criticism. We may be placed in such a position that our duty is not to do public work, but to see that it is properly done, and this duty it is important for us to perform with fairness and intelligence.

Public life naturally brings with it many troubles. There are few public men who do not suffer from calumny and misrepresentation. The service of the state often seems to be thankless, and many of those who are looked up to with envy and admiration as the leaders of their fellows must often long for a retirement of obscurity and repose. These drawbacks should not hinder us from accepting the responsibilities which are laid upon us, and in the anxiety which must inevitably accompany a prominent position we should comfort ourselves with two considerations—first, that public opinion is in the main just and generous, and that it in the long run makes up the debt of gratitude to those whom it has misunderstood; and secondly, that the consciousness of the strict performance of duty is the highest reward which anyone can look to, and that no one need accuse himself of negligence or heed the accusations of others, if at each period of decision he has been led, not by self-interest, but by desire for the public welfare, and if he has earnestly striven to do his best.

GLOSSARY OF TECHNICAL TERMS.

act, a law that has passed through both Houses of Parliament and received the royal assent.

allotments, small pieces of land allotted or appropriated to men of the working-classes to be cultivated by them.

assizes, courts held periodically in different parts of the country for the trial of criminal causes.

ballot, the name given to the system of secret voting.

bill, the name given to the draft of a law while passing through the legislature before it becomes an act.

cabinet, the body of ministers who direct the government of the country. The cabinet usually consists of from 12 to 16 of the chief ministers, including the prime minister, the chancellor of the exchequer, the secretaries of state, the lord chancellor, the chief secretary for Ireland, &c.

casting-vote, the vote given by the chairman or other official person when the other votes are equally divided.

charity commission, a body of commissioners who have charge of endowments left for the poor.

Chiltern Hundreds, an ancient royal manor in Berkshire, the stewardship of which is a sinecure office, retained solely because, the holder of it being disqualified as a member of parliament, it affords a means by which a member may resign his seat.

circuits, the portions of country journeyed through by the several judges for the purpose of holding courts at appointed places.

civil list, a yearly sum of money granted to the sovereign for the expenses of the royal household, and other purposes.

common law, the law that is not written in acts of parliament, but depends upon the customs that have come down from ancient times.

consolidated fund, the total revenue of the United Kingdom, the sums derived from the several sources, such as income-tax, customs, &c., being consolidated into one.

constituents, those who elect a member of parliament.

copyhold, property which the tenant holds by having his name inscribed on the court roll of a manor.

democracy, a state in which the supreme power is held by the whole body of its members. (Gk. *dēmos*, the people; *kratos*, power.)

despotism, government by a sovereign whose will is law, and who is absolutely without control. (Gk. *despotēs*.)

federation, a number of subordinate states bound together under a central government, the individual states, however, having certain powers of self-government.

felony, the name given to serious crime; originally to such crimes as involved the forfeiture of lands or goods.

feudal system, the system according to which grants of land were made by the sovereign to the nobles, and by them to an inferior class, on the condition that the possessor should take an oath of fealty, and do military service to him by whom the grant was made.

franchise, the right of voting for members of parliament.

freehold, land or house property which is a man's own.

general election, the election of a new parliament for the whole of the United Kingdom, the elections for the several constituencies taking place almost at the same time. (An election for a seat that becomes vacant after the constitution of the parliament is called a *bye-election*.)

grand jury, a jury whose duty it is to make a preliminary examination into the grounds of accusation against offenders, and decide whether the case shall go for trial.

habeas corpus, the first words of a writ which orders a jailer to 'produce the body' of a prisoner in court, in order that the question of the legality of his imprisonment may be decided.

hustings, the platform on which candidates used to stand at elections when addressing the electors.

indictment, written formal accusation.

justice of the peace, county magistrate.

leasehold, property held on lease, *i.e.* under an agreement to pay a specified rent for a certain time, at the expiration of which the property reverts absolutely to the owner.

letters-patent, documents from the crown, giving permission to a person to do some act or enjoy some right.

mace, a heavy ornamental staff of metal carried before the Speaker as a symbol of authority.

minutes, short notes of the proceedings at a meeting.

misdemeanour, the name given to lesser offences against the law which are not felonies.

monarchy, a state ruled actually or nominally by one person.

party government, the system by which the government of the country is carried on by a ministry consisting of men holding the same political opinions, and placed in office by the votes of that party which at the time has the majority in the country.

petty sessions, a lesser court held at convenient times by county magistrates for the settlement of minor cases.

poll, the formal voting of the body of electors.

privy-council, a body of noblemen and gentlemen nominally selected by the sovereign to act as his principal council. Actually it consists of all cabinet ministers and ex-ministers, and others who have served the state; but it has no duties.

prorogation, the adjournment of parliament from one session to another.

quarter sessions, a court held quarterly by county magistrates.

rates, taxes levied by local authorities to defray local expenses.

representative government, a form of government in which the community shares in the work of legislation through elected representatives.

republic, a state in which the supreme power is held either by the whole community, or by certain privileged members of the community.

returning officer, the officer who presides at elections and declares what candidates are elected.

revising barrister, the barrister whose duty it is to examine claims to be put on the register of voters.

school-board, a number of persons elected by the ratepayers of a district to control the elementary education.

scot and lot, certain parish payments.

sheriff, the chief officer of the crown in the county.

small holdings, small farms, let out on low terms, and of such a size that the tenants may support themselves by their industry in working them.

summons, a document calling upon the person named in it to appear in court on a specified day.

tithes, a tax upon land, originally consisting of the tenth part of the profits, devoted to the maintenance of the clergy. (O.E. *teotha*, the tenth.)

treasure trove, money or other valuable articles found hidden in the earth or in any private place, the owner of which is not known.

warrant, a document authorizing the arrest of a person.

watch committee, a committee of a corporation appointed to control the police and matters connected therewith.

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